

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

REGULAR SESSION OF 1937

First Part of Fortieth Volume of Statutes at Large

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NOTICE

The following acts passed during the 1937 regular session of the General Assembly were delivered to the Governor May 20, 1937, and have not been approved. The General Assembly adjourned *sine die* May 21, 1937.

(No. 640, 1937 Governor's Receipt Book for Acts)—AN ACT to Amend Section 1 of an Act entitled "An Act to Amend Section 5587 Code of Laws of South Carolina, 1932, Relating to the Election and Term of Office of School Trustees in Spartanburg County so as to Further Provide for the Election and Term of Office of School Trustees in Spartanburg County", known as Act No. 760 of the Acts of 1934, so as to provide for the Election and Appointment of School Trustees and Fix the Term of Office for Spartanburg County.

(No. 643, 1937 Governor's Receipt Book for Acts)—AN ACT to provide for the Effective Collection of Wage Payments by Labor in the State of South Carolina, to Set up Certain Requirements for said Purpose, to Provide for the Enforcement Thereof, and for Penalties in Case of Violation Thereof.

The following act was presented to the Governor on the 20th day of May, 1937, while the General Assembly was in session, and this act was delivered to the secretary of state by the Governor without his signature after *sine die* adjournment of the 1937 regular session. The General Assembly adjourned *sine die* May 21, 1937. The text of this act was not included herein since this act cannot become effective without the approval of the Governor until the General Assembly convenes.

(No. 654, 1937 Governor's Receipt Book for Acts)—AN ACT to Make it Unlawful to Hunt Doves in Florence County Between Certain Dates.

The spelling and punctuation used in the original acts have been followed strictly. No corrections were made.

"Employed" line 22, page 580 should be "eomployed"; and a period should be at the end of section 3, page 582.

For convenience in finding the original acts in the secretary of state's office, the number of each act in the Governor's Receipt Book for Acts has been placed to the left of its respective permanent number in this volume.

Rules and regulations issued pursuant to authorities in general and permanent laws and filed in the secretary of state's office are published in this volume pursuant to direction of act No. 132 of the 1937 Acts, page 174.

FURMAN R. GRESSETTE,
Code Commissioner.

St. Matthews, S. C.

LIST OF TITLES

Part 1—General and Permanent

1. An Act relating to the sale or other disposition of securities in the State of South Carolina; to prevent fraud in the sale and disposition of stocks, bonds or other securities sold or offered for sale within the State of South Carolina by any person; to provide for the registration of dealers and salesmen engaged in the business of selling or offering for sale or of dealing in securities in the State of South Carolina; to provide such regulation and supervision respecting the sale of securities and the business of selling, offering for sale or dealing in securities in the State of South Carolina as may be necessary to prevent fraud; to provide penalties for violations thereof; to prescribe and levy license, registration and other fees and taxes; and to repeal Sections 8114 to 8136, both inclusive, Code of Laws of South Carolina, 1932, and all Acts or parts of Acts in conflict herewith.
2. An Act to terminate the terms of office of the trustees of Union School District No. 29, in Clarendon County; to provide for election of trustees in said district; and to prescribe their terms of office; and to provide for the filling of vacancies in the board of trustees of said school district.
3. An Act to repeal Section 2972 of the Code of Laws of South Carolina, 1932, providing for a service officer for Williamsburg County, and to abolish such office.
4. An Act to terminate the terms of office of the trustees of New Zion School District No. 15, in Clarendon County; to provide for the election of trustees in said district and to provide for the filling of vacancies in the board of trustees of said school district; and to prescribe their terms of office.
5. An Act to repeal Act No. 707 of the Acts of the General Assembly of the State of South Carolina, 1936, entitled, "An Act to create a County Constable Commission for Pickens County, to prescribe its powers and duties, to provide for the appointment of constables in said county, prescribe their powers and duties and provide their compensation; and to repeal Acts Nos. 83 and 334 of the Acts of the General Assembly of the State of South Carolina for the year 1933." Approved March 27, 1936, and relating to County Constable Commissions for Pickens County.
6. An Act to amend Act No. 1298 of the Acts of the General Assembly, South Carolina, 1936, approved February 26, 1936, and entitled "An Act creating the Saluda County Agricultural Building Authority, empowering said authority to borrow funds for the erection of an agricultural building and providing a levy for the payment of same"; so as to provide further for the borrowing of money by the Saluda County Agricultural Building Authority under the terms of said Act, and to provide that the construction of a Saluda County Agricultural Building provided for in said Act shall include the purchase and installation of a heating plant for said building.
7. An Act to fix the compensation of Circuit Court jurors of Bamberg County.
8. An Act to amend Section 3818, Code of Laws of South Carolina, 1932, relating to the election of county supervisor, term of office, etc., so as to increase the term of office of the county supervisor for Bamberg County.
9. An Act to terminate the terms of office of all school trustees in Pickens County; to provide for the election of all school trustees in said county and to prescribe their terms of office.

10. An Act to amend an Act No. 5 of the Acts of the General Assembly of South Carolina, 1935, entitled: "An Act to amend Sections 118-140 inclusive of the Code of Laws of South Carolina, 1932, relating to County Court of Greenville County, so as to increase the jurisdiction of the County Court in civil matters, so as to abolish the office of County Solicitor, to strike out all section or parts of sections relating to the trial of criminal cases and the criminal jurisdiction, to provide for the appointment of an assistant to the Circuit Court Solicitor, and to further provide for the regulation, jurisdiction and conduct of the County Court of Greenville County; known as Act No. 876 of the Acts of 1934, approved the 7th day of April, 1934, so as to re-establish and invest the County Court of Greenville County with criminal jurisdiction, to provide for the appointment or election of a County Solicitor, his remuneration, term of office, to provide for the regulation, jurisdiction and conduct of the business of the criminal part of the County Court of Greenville County, and to provide for terms of said Court; to provide the manner of the selection of the Judge of said Court and to define his powers, duties and jurisdiction, and otherwise provide for the conduct of the business of the Court in civil and criminal matters", approved the 25th day of January, 1935, so as to further provide for the selection and election of the County Solicitor, describe his term of office and his remuneration.
11. An Act to provide for the appointment of County Attorney for Lancaster County by the Legislative Delegation of said county.
12. An Act to provide for the appointment of Magistrates' Constables in Pickens County and to prescribe their duties and to provide for payment for their services.
13. An Act to provide for a County Board of Education for Lexington County composed of three members and to provide compensation of the members of the board, and to terminate the present board.
14. An Act to authorize and empower the Treasurer of Charleston County to borrow funds to meet the payment of principal or interest on any outstanding obligation of Charleston County, or any political subdivision thereof, in anticipation of taxes levied for such purposes and to further authorize said Treasurer to pledge said taxes and the full faith and credit of Charleston County to the payment of such loans.
15. An Act to fix the compensation of Circuit Court jurors for Hampton County.
16. An Act to amend Section 5410 of the Code of Laws of South Carolina, 1932, so as to make applicable the provisions of Sections 5407, 5408 and 5409, relating to kindergarten schools, in the County of Aiken.
17. An Act to provide for a system of road districts in Barnwell County and for the appointment of a Board of County Managers and for the appointment of their successors; and to repeal certain sections of the Code and of Act 992 of the Acts of 1934, relating to the affairs of Barnwell County.
18. An Act to prescribe that an insane person who is not confined in the State Hospital for the insane or in any other place of confinement shall appear by guardian *ad litem* in actions by or against him, to prescribe how such guardian *ad litem* shall be appointed, and to confirm and validate such appointments heretofore made.
19. An Act to amend an Act entitled "An Act to provide for returns for taxation; to promote and encourage the early payment thereof, etc.", in Bamberg County, designated as Act No. 306 of the Acts of the General Assembly for the year 1933, so as to repeal the provisions allowing discounts on taxes paid before certain dates.
20. An Act to abolish the fees for satisfaction of chattel and real estate mortgages in Abbeville County.

21. An Act to authorize the County of Abbeville to purchase necessary equipment to do power terracing; to organize an agricultural board to control such equipment; to authorize the use of same for the benefit of the landowners of Abbeville County; to authorize a levy on lands terraced to be collected by the County Treasurer of Abbeville County.
22. An Act to ratify an amendment to Section 32, Article 3, of the State Constitution, so as to confer upon the General Assembly power to extend financial assistance or care to needy persons.
23. An Act to authorize the Town of Darlington, Darlington County, South Carolina, to issue certificates evidencing the indebtedness due to the said Town of Darlington for taxes and paving assessments due and unpaid by taxpayers and property owners of the Town of Darlington, South Carolina, and to sell, hypothecate, or pledge said certificates and upon such sale, hypothecation, or pledge to assign the same and in the name of the Town of Darlington to guarantee the payment thereof.
24. An Act to terminate the terms of office of all school trustees in Oconee County; to provide for the election and selection of all school trustees in said county and to prescribe their terms of office.
25. An Act to authorize the Auditor of Williamsburg County to destroy worthless and useless records and papers.
26. An Act to provide a dog license tax in Charleston County, to provide for the return, payment and collection thereof, to provide for the enforcement of this Act, and for the disposition of the proceeds of said tax.
27. An Act to amend an Act, entitled "An Act to amend Sections 2610, 2611 and 2612 of the Code of Laws of South Carolina, 1932, so as to exempt Counties of Charleston and Kershaw from the provisions thereof", approved April 16th, 1934, being Act No. 942 of the Acts of 1934, by eliminating Charleston County from the exemption therein provided.
28. An Act to provide an office in the Clarendon County Court House for the War Veterans' Service Officer.
29. An Act to amend Section 977 of the Code of Laws of South Carolina, 1932, as amended by Act No. 403 of the Acts of the General Assembly, 1933, entitled "An Act to amend Section 977, Code of Laws of South Carolina, 1932, so as to provide that in Georgetown and Marion Counties the Foreman of the Grand Jury shall have the authority and power to swear witnesses" and approved June 12, 1933; Act No. 135 of the Acts of the General Assembly, 1935, entitled "An Act to amend Section 977, Vol. 1, Code of Laws of South Carolina, 1932, as amended by Act 403 of the General Assembly of South Carolina, 1933, entitled "An Act to amend Section 977, Code of Laws of South Carolina, 1932, so as to provide that in Georgetown and Marion Counties the Foreman of the Grand Jury shall have the authority and power to swear witnesses", approved June 12, 1933; so as to provide that in Anderson County the Foreman of the Grand Jury shall have the authority and power to swear witnesses" and approved April 5, 1935; and Act No. 943 of the Acts of the General Assembly, 1936, entitled "An Act to amend Section 977 of the Code of Laws of South Carolina, 1932, providing for the swearing of witnesses by the Foreman of the Grand Jury, so as to provide for the application of the provisions of said section in the Counties of Aiken, Bamberg and Barnwell", approved May 30, 1936; so as to provide that witnesses may be sworn by the Foreman of the Grand Jury in Anderson, Marion and Georgetown Counties.
30. An Act to authorize and empower the Resident Judge of the Thirteenth Judicial Circuit to appoint a Chief Bailiff for Court of General Sessions and Common Pleas, for Greenville County—term of appointment.

31. An Act to amend Subdivision 8, Section 2874, Code of 1932, so as to increase the bond of the Tax Collector for Florence County from Ten Thousand (\$10,000.00) Dollars to Twenty Thousand (\$20,000.00) Dollars, and to make the same responsible for the faithful performance of the duties of all Deputy Tax Collectors serving under the said Tax Collector.
32. An Act to fix the fees of the Clerk of Court of Clarendon County for issuing and filing orders of reference and orders appointing guardian *ad litem*.
33. An Act to enable the Sinking Fund Commission of Cherokee County to pay over to the County Treasurer of Cherokee County, South Carolina, certain funds to be credited to the general school funds of schools Districts Nos. 6, 10 and 13, Cherokee County, S. C., and to provide for future settlements of school funds.
34. An Act to change the fiscal year of Dorchester County.
35. An Act to provide for an additional deputy by the sheriff of Pickens County.
36. An Act to amend Section 3767, Code of Laws, S. C., 1932, so as to abolish the office of the additional magistrate in the City of Georgetown, and to repeal so much of the said section creating the same.
37. An Act to amend Sub-division I, Section 3780, Code of Laws of South Carolina, 1932, relating to the compensation of magistrates in Pickens County; to provide for magistrates at Pumpkin Town; and to provide for the appointment of constables by each of said magistrates and to declare the law with respect to the compensation of said constables.
38. An Act to increase the mileage allowed the York County Superintendent of Education and to provide for the payment of the salary of the clerk to the Superintendent of Education for York County out of the funds of the York County Board of Education.
39. An Act to change the fiscal year of Newberry County.
40. An Act to repeal Sections 4610, 4611, 4612, 4613, 4614, and 4615 of the Code of Laws of South Carolina, 1932, relating to commutation tax in Marion County and to amend Section 5862, Code of Laws of South Carolina, 1932, so as to provide that there shall be no commutation tax in Marion County.
41. An Act to amend Act No. 62 of the Acts of 1933, entitled "An Act to amend Section 7414 of the Code of Laws of South Carolina, 1932, relating to taxes imposed by towns of less than one thousand population so as to provide for the levy and collection of taxes in the Town of Port Royal, and ratifying the levy and collection of certain taxes by the Town of Port Royal," so as to add a proviso in regard to the levy of taxes in the Town of Cameron in Calhoun County.
42. An Act to amend Act No. 54 of the Acts of the General Assembly of South Carolina, 1937, entitled, "An Act to terminate the terms of office of all school trustees in Oconee County; to provide for the election and selection of all school trustees in said county and to prescribe their terms of office", approved February 12, 1937; so as to further provide for the election and selection of school trustees in said county.
43. An Act to amend Section 5384, Code of Laws of South Carolina, 1932, by adding at the end of Subdivision (2) thereof a proviso relating to the powers of trustees of the school districts of Marion County with reference to the superintendents, principals and teachers of the schools.

44. An Act to amend an Act designated as Act No. 320 of the Acts of 1935, entitled "An Act to amend Section 1 of an Act entitled 'An Act relating to the appointment of trustees for Ehrhardt School District No. 22, in Bamberg County', designated as Act No. 571, of the Acts of 1916", so as to change the method of nominating trustees in said district.
45. An Act to amend an Act entitled "An Act to amend Section 5474, Code of Laws of South Carolina, 1932, by adding a proviso relating to the renewal of contracts for transportation of school pupils in Marion County", by striking out the time limit contained in such proviso.
46. An Act to repeal Act No. 629 of the Acts of 1936, entitled "An Act prohibiting the State Highway Department from changing the location of Highways Nos. 17, 21 and 28 through the Town of Yemassee or establishing any alternate route around said town; providing for lights and bells at grade crossing in Yemassee," approved February 21st, 1936.
47. An Act to prohibit fishing by traps, nets and baskets in Cherokee County.
48. An Act to amend Section 37, Code of Laws of South Carolina, 1932, with reference to the powers of Circuit Judges.
49. An Act to amend Section 1024, Code of Laws of South Carolina, 1932, relating to appeals from magistrates' courts, so as to provide for appeals to county courts.
50. An Act to amend Section 794, Code of Laws, 1932, relating to appeals from inferior courts, etc., so as to further provide for reference of appeals from inferior courts.
51. An Act to ratify an amendment to Article XI, Section 5 of the Constitution of 1895, relating to school districts by excluding Florence, Abbeville, Orangeburg, Sumter, Union, Darlington, Charleston, Lancaster, Bamberg, Beaufort, Berkeley, Dorchester, Colleton, Dillon, York, Lee, Williamsburg, Horry, Georgetown, Jasper, Chesterfield, Edgefield, and Anderson Counties from the provisions relating to area.
52. An Act authorizing the County Board of Directors of Beaufort County to lease or rent any public wharf or wharves in Beaufort County during the next ten years.
53. An Act to amend an Act entitled, "An Act to authorize the trustees of the school districts in Chester County to establish school bus routes, to call for bids for drivers to operate the same, to provide for the letting of contracts with the approval of the County Board of Education in Chester County, and to further regulate the same and to limit the additional levy of special school taxes"; as amended by Act No. 961 of the Acts of 1936, approved the 5th day of June, 1936, so as to regulate the employment of bus drivers for schools in Chester County.
54. An Act to amend Section 1754, Code of Laws of South Carolina, 1932, so as to fix the punishment for hunting deer at night.
55. An Act to repeal an Act entitled "An Act to require the licensing of cow and hog buyers in Clarendon County, and provide for reports thereby, prescribe the duties of the magistrates of said county in connection therewith, to prohibit the buying of such animals after sunset and before sunrise, and to make any violation of the terms of this Act a misdemeanor and prescribe penalties therefor", known as Act No. 884 of the Acts of 1936.
56. An Act to amend Section 3486, Code of Laws of South Carolina, 1932, relating to the appointment and term of office of deputy sheriffs, so as to provide for the appointment and approval of the deputy sheriff of Charleston County, and the term of office and manner of removal of such deputy sheriff.

57. An Act to require the Superintendent of Education of Chester County to submit annually to the chairman of the board of trustees of each school district a county budget sheet showing credits and debts of each district at the close of the school year, and also an approximate budget of the credits and debts for the ensuing school year.
58. An Act to amend Section 2296, Volume 2, Code of Laws of South Carolina, 1932, in sub-division entitled "Lexington", so as to provide an additional voting precinct in Lexington County.
59. An Act to amend Subsection 1 of Section 7452, Code of Laws of South Carolina, 1932, so as to provide for the manner of drawing juries for the municipal court in the municipality of Hemingway in Williamsburg County.
60. An Act to require peddlers of live stock to obtain a license therefor before engaging in business in Williamsburg County.
61. An Act to amend Act No. 809 of the Acts of 1936, entitled "An Act to create courts of domestic relations in all counties in this State containing a city having over 60,000 population according to the 1930 United States census; and to provide the powers, authority and jurisdiction thereof," approved May 4th, 1936, so as to make further provisions with reference to the powers, authority and jurisdiction of courts of domestic relations.
62. An Act to authorize and direct the County Auditor of Darlington County to levy, and the Treasurer of said county to collect, a tax to be used for aid to weak grammar schools in said county and to provide for the apportionment and disbursement thereof.
63. An Act to amend an Act entitled, "An Act to reduce the bag limit of quail in Williamsburg, Clarendon, Florence, Saluda and Horry Counties", approved June 2, 1936, so as to provide a bag limit for quail in Williamsburg County of fifteen (15) for one day's hunt.
64. An Act to amend Section 2214 of the Code of Laws of South Carolina, 1932, as amended by Act No. 715 of the Acts of the General Assembly of South Carolina, 1936, approved March 27, 1936, and entitled "An Act to amend Section 2214 of the Code of Laws of South Carolina, 1932, relating to the powers of the Board of Phosphate Commissioners as to the granting of licenses to dig and mine phosphate", so as to make the term not exceeding ten (10) years instead of not exceeding five (5) years of licenses granted to dig, mine and remove phosphate rock and phosphate deposits as provided therein.
65. An Act to amend Section 7403 of the Code of Laws of South Carolina, 1932, as amended by subsequent Acts so as to fix the term of office of the intendant and wardens in the Town of Chesnee, in the County of Spartanburg.
66. An Act to amend Section 7403, Code of Laws of South Carolina, 1932, relating to officers, election, term of office, etc., as amended by subsequent Acts, so as to increase the term of office of the intendant and wardens in the Town of Pamplico from one to two years.
67. An Act providing the time for the filing of claims and the commencing of suits against the County of Florence.
68. An Act to repeal Section 12 of an Act entitled "An Act to provide for the determination and refunding of delinquent taxes in Sumter County and the payment of the same in annual installments; and to provide a method of crediting the payments so collected to the purposes for which the original levies were made; and to facilitate the collection of current taxes." Approved the 6th day of April, 1932, and known as Act No. 836 of the Acts of the General Assembly for 1932, so as to eliminate from said section the discount allowed on Sumter County taxes.

69. An Act to provide that in the event the Supervisor of York County is physically unable to sign checks, vouchers or approve claims, that the County Commissioners shall elect one of their members to sign such checks, vouchers or approve claims during the time of such physical disability.
70. An Act to amend Section 3789, Volume II, Code of Laws of South Carolina, 1932, relating to compensation of magistrates and constables in York County as amended by Act No. 161 of the Acts of South Carolina, 1933, entitled "An Act to amend Section 3789, Volume II, Code of Laws of South Carolina, 1932, so as to reduce the compensation of magistrates and constables in York County", so as to raise the compensation of magistrates and constables in said county and to require the said magistrates to furnish official bonds.
71. An Act to amend Section 3634, Code of Laws of South Carolina, 1932, relating to Auditor's endorsement required as to record in his office before recordation, so as to provide for the recording of timber deeds, timber leases and contracts of conveyance of timber.
72. An Act to amend Section 57, Subdivision (3), Code of Laws of South Carolina, 1932, as amended by an Act entitled "An Act to amend Section 57, Code of Laws of 1932, insofar as it relates to the term of Court of Common Pleas for Union County", known as Act No. 683 of the Acts of the General Assembly of the State of South Carolina, 1934, as amended by an Act entitled "An Act to amend Section 57, Subdivision (3), Code of Laws of South Carolina, 1932, as amended by an Act entitled 'An Act to amend Section 57, Code of Laws of 1932, insofar as it relates to the term of the Court of Common Pleas for Union County', known as Act No. 683 of the Acts of the General Assembly of the State of South Carolina, 1934, so as to fix the time for the holding of the Court of Common Pleas of Union County", known as Act No. 285 of the Acts of the General Assembly of the State of South Carolina, 1935, so as to fix the time for the holding of the Court of Common Pleas and of the Court of General Sessions for Union County.
73. An Act to authorize and empower the County Board of Spartanburg County to rent, lease, operate or put to such use as it deems to the best interest of Spartanburg County, all or any part of the property owned by Spartanburg County, commonly known as the Spartanburg County Home and County Farm.
74. An Act providing for five trustees in Rice Patch School District in Colleton County.
75. An Act to levy a tax of fourteen (14) mills on all taxable property in Jasper County for school purposes; fixing the salaries of superintendents, principals and teachers of the schools of Jasper County; to provide sums of money to the several schools for the purpose of the free distribution of textbooks; and to authorize the County Board of Education to borrow money and to pledge the revenue derived from said taxes to the payment of same.
76. An Act to amend Section 8999 of the Code of Laws of South Carolina, 1932, relating to compromises by executors and administrators, so as to authorize the compromise of claims asserted or actions brought for alleged wrongful death.
77. An Act to exempt certain manufacturing plants in York County, South Carolina from all county taxes, except taxes for school purposes for a period of five years.
78. An Act to provide for the employment of auctioneers by the Probate Judge, Master and Sheriff of Barnwell County to make judicial sales in said county and fixing the compensation of such auctioneers.
79. An Act to provide for the employment of auctioneers by the Probate Judge, Master and Sheriff of Abbeville County to make judicial sales in said county and fixing the compensation of such auctioneers.

80. An Act to amend Section 7 of Act No. 406 of the Acts of the General Assembly of South Carolina, 1933, entitled "An Act to provide a schedule of state aid for public schools"—etc., approved May 31, 1933, as amended by Act No. 103 of the Acts of the General Assembly of South Carolina, 1935, entitled "An Act to amend Section 7 of an Act entitled 'An Act to provide a schedule of state aid for public schools; to levy and impose additional income taxes and public utility and other corporation taxes and licenses, etc.' approved May 31st, 1933, so as to abolish in Greenville County the levy of four mills referred to in Section 5479, Code of Laws of South Carolina, 1932", approved March 22, 1935, so as to provide for school district levies in Anderson and Dorchester Counties in accordance with the provisions of Act No. 840 of the Acts of the General Assembly of South Carolina, 1934, approved April 4, 1934, and Act No. 761 of the Acts of the General Assembly of South Carolina, 1934, approved March 10, 1934.
81. An Act to authorize the trustees of Laurel Creek School No. 7-H and/or the trustees of West Gantt School District No. 6-B of Greenville County to establish a state accredited high school in each district.
82. An Act to amend Section 1 of Act No. 32 of the Acts of the General Assembly of South Carolina, 1933, entitled "An Act to create a Rural Police System for Oconee County, to provide for their appointment, removal, remuneration and define their powers and duties" and approved February 4, 1933, so as to further provide for the number of rural policemen in Oconee County.
83. An Act to repeal Act No. 216 of the Acts of the General Assembly, 1933, entitled "An Act to provide further for Magistrates in Oconee County by providing for the appointment of one to be located at Fair Play, in said county, and fixing his compensation" and approved April 14, 1933.
84. An Act to establish the location of State Highway No. 183 between the Town of Pickens and U. S. Route 276.
85. An Act putting all officers of Newberry County on a salary basis and requiring all officers of Newberry County to turn over all fees collected by them to the Treasurer of Newberry County.
86. An Act to provide for election of school trustees for Hanna School District No. 18 in Florence County.
87. An Act to provide for the appointment of an auctioneer for Pickens County for all public sales; fix his compensation, and the manner of his appointment.
88. An Act to provide for the removal of all marks of identification on school buses in this State when no longer used for school purposes, and to provide a penalty for the violation thereof.
89. An Act to create the St. Andrews Parish Commission in Charleston County; to provide for its personnel and to define its powers and duties.
90. An Act to provide for the appointment of a County Attorney for Cherokee County by a majority of the Legislative Delegation of said county.
91. An Act to make more safe the use by pedestrians and surf bathers of the front beach of the Isle of Palms in Charleston County, South Carolina.
92. An Act to provide for five (5) trustees in Leslie School District No. 52 York County and to provide for the election thereof.
93. An Act to amend Sub-division 4 of Section 2867, Volume II, Code of Laws of South Carolina, 1932, as amended by Act No. 863 of the Acts of the General Assembly of 1934, approved under date of April 7th, 1934, so as to provide that the Tax Collector of Calhoun County shall pay over to the County Treasurer fifteen per cent of the fees allowed him under said section.

94. An Act to further define and to regulate the season for shooting squirrels in Florence County, and Clarendon County.
95. An Act to authorize and empower Circuit Judges and County Judges to pass upon without a jury, matters in suits brought by any person laboring under a disability to sue for himself involving personal and property damages.
96. An Act to repeal Act No. 804 of the Acts of 1934, entitled "An Act fixing the season for hunting marsh hens and rails and fixing the bagging limit of same in Charleston County and providing a penalty for the violation thereof."
97. An Act to provide for nomination of school district trustees in Chesterfield County in primary election.
98. An Act to make competent in evidence, copies of records of the State Highway Department of South Carolina, relating to the issuance of drivers licenses, motor vehicle licenses and right-of-way deeds when certified to by the Director of Motor Vehicles or Chief Highway Commissioner.
99. An Act to provide for the determination of measure and weight of crab meat.
100. An Act to amend Section 3410, Volume II, Code of Laws of South Carolina, 1932 relating to the prohibiting of trawling for shrimp by extending the provisions thereof to sounds.
101. An Act to provide for election of school trustees for School District No. 35 in Florence County.
102. An Act to repeal Section 2-A of an Act entitled "An Act relating to the State Highway Patrol and the enforcement of motor vehicle laws", the same being Act Number 215, Acts of 1935, approved the first day of May, 1935, and thereby make further provision for the use of automobiles.
103. An Act to fix the compensation of the Master in Equity of Greenwood County.
104. An Act to authorize and require building permits for erection, construction, improvement and alteration of buildings in Charleston County where not required by municipal ordinance, and to provide punishment for violations hereof.
105. An Act to prohibit any member of the General Assembly of the State of South Carolina from election by the General Assembly or appointment by any executive authority to any civil office under the dominion of the State of South Carolina, which shall have been created during the time for which such member was elected to serve in the General Assembly.
106. An Act to define and provide punishment for kidnapping, and to continue of force all prior statutes repealed or superseded by this Act for the purposes of prosecutions for offenses committed thereunder.
107. An Act to amend Section 2846, Volume II, Code of Laws of South Carolina, 1932, by extending the right to pay taxes under protest and recover them where illegally collected, to purchasers and mortgagees of such property and by making the remedies of said section as amended apply to taxes due to any incorporated city or town.
108. An Act to amend Section 8227, Code of Laws of South Carolina, 1932, so as to provide for the filing, in lieu of recording of mortgages and deeds of trust covering property of a railroad company and the appurtenant franchises in the office of the Secretary of State.

109. An Act to amend Section 4467 of the Code of Laws of 1932, so as to provide for the countersigning of claims by the purchasing agent, and also to provide for the disposition of funds derived from grants and the sale of revenue bonds.
110. An Act to authorize and empower the Board of Directors of Kershaw County to borrow money for certain county purposes.
111. An Act to provide for licensing of persons engaged in the business of becoming surety for hire on certain undertakings in Greenville County.
112. An Act to authorize the Board of County Directors of Chester County to let the transportation of convicts for Chester County to the penitentiary by contract to lowest bidder, or to transport them by regular employees of the county.
113. An Act to amend Subdivision 14 of Section 5414, Volume II Code of Laws of South Carolina, 1932, by striking out said subdivision and renaming the three high school districts of Georgetown County, the component school districts thereof and providing for the appointment and term of high school boards of trustees therefor.
114. An Act to amend Section 2 of Act No. 849 of the Acts of South Carolina, 1934, entitled "An Act to amend an Act entitled 'An Act regulating persons, corporations and municipalities engaged in the generation, transmission, delivery or furnishing of electricity for light, heat or power, prescribing the duties of the railroad commission in relation thereto, and prescribing penalties for violation of the provisions thereof,'" so as to eliminate so much of the proviso in said section as prohibits regulation by the Public Service Commission of contracts made by municipalities for wholesale purchase of electric energy for resale.
115. An Act to amend Section 5518 of the Code of Laws of South Carolina, 1932, relating to the election of trustees for School District No. 1 in Calhoun County, so as to provide that qualified electors only shall be eligible to serve as such trustees.
116. An Act to amend Section 7403, Volume 3, Code of Laws, 1932, by providing for the election of the intendant and wardens of the Town of Chesterfield, and fixing their term of office.
117. An Act to require additional copies of certain publications to be delivered to the Law Library of the University of South Carolina, and to authorize the exchange thereof, and provide for cataloguing.
118. An Act to amend Sub-division (b) of Section 14 of an Act entitled "An Act to provide a system of workmen's compensation in the State of South Carolina, and to further provide for securing the payment of such compensation", known as 610 of the Acts of 1936, so as to exempt State and County Fair Associations.
119. An Act to amend Section 8396, Code of Laws of South Carolina, 1932, relating *inter alia* to toilet compartments on coaches of trains, so as to make further provisions with reference to toilet compartments, and by changing "Railroad Commission" therein to "Public Service Commission".
120. An Act to amend Section 8356 of the Code of Laws of South Carolina of 1932, Volume 3, relating to signs at railroad crossings, in respect of the location of such signs and the words thereon.
121. An Act relating to the qualification, registration and enrollment of voters and the manner of holding municipal primary elections in cities of this State having a population of not more than 29,000 and not less than 25,000 according to the United States census of 1930.
122. An Act to permit, at any time, the hunting, shooting, trapping, catching and killing of foxes in Lexington, Bamberg and Darlington Counties.

123. An Act requiring all fees collected by county officers of Cherokee County to be paid into the Treasury of said county, and providing for the compensation of the officers of said county on a salary basis.
124. An Act to amend Section 1802, Code of Laws of South Carolina, 1932, so as to reduce the fee required for obtaining non-resident fishing license and providing penalties for violation thereof.
125. An Act to amend Act No. 304 of the Acts of South Carolina, 1935, entitled "An Act to provide for the sterilization of mental defectives and insane persons and the procedure thereof" by striking out all of said Act and inserting in lieu thereof a new Act entitled, "An Act to provide for the sterilization of mental defectives and insane persons and the procedure thereof."
126. An Act to repeal Act No. 30 of the Acts of the General Assembly of South Carolina, 1933, approved February 4, 1933, and entitled "An Act to establish a Civil and Criminal Court for a certain portion of Oconee County, to fix its jurisdiction, to provide for its officers, their appointments or election, to provide remuneration, term of office, and to define their powers and prescribe their duties", and to provide for the transfer of cases pending in the Civil and Criminal Court of Oconee County to the Circuit Court and to provide for the termination of terms of office of the officers and employees of said Civil and Criminal Court.
127. An Act to amend Subdivision 13 of Section 1, of an Act entitled "An Act regulating the manufacture, sale, possession, transportation, and use of narcotic drugs, providing for the issuance of licenses therefor, to make uniform the law with reference thereto, and providing penalties for violations", so as to provide that the term "Narcotic Drugs" shall include a plant called Marihuana or Indian Hemp or any cannibus preparation.
128. An Act to amend an Act entitled "An Act to amend Section 5414, Volume II, Code of Laws of South Carolina, 1932, relating to the public school system in Georgetown County," etc., known as Act No. 736 of the Acts of the General Assembly of 1936, by adding a proviso to Section 1 thereof requiring levy for school purposes be subject to approval of members of county legislative delegation, also providing for the furnishing of financial information by the County Board of Education to said delegation, and by adding also a paragraph thereto authorizing the County Board of Education, under certain restrictions, to borrow funds for enlarging, repairing, maintaining, constructing and/or equipping school buildings.
129. An Act to amend Section I of Act No. 709 of the Acts of 1936, entitled "An Act to create the North Charleston Park and Playground Commission and to define its duties and powers", approved March 27, 1936, so as to make further provisions with reference to the personnel of said commission.
130. An Act to amend Section 5774, Code of Laws, South Carolina, 1932, relating to the Board of Visitors of the Citadel so as to provide that the membership of said board shall be increased by one, who shall be a Citadel graduate elected by such means and methods as may be determined by the Association of Citadel Men, or their successors.
131. An Act to provide for the licensing, the revoking of licenses, and the license fees of all tourist camps and road houses in this State; and to provide penalty for the operation, maintaining and owning such tourist camps and road houses without a license to do so.
132. An Act to require rules and regulations issued pursuant to all general and permanent laws to be filed in Secretary of State's office and to be published in the Acts and Codes of Laws of South Carolina; to fix duties of officers and agencies issuing such rules and regulations; the Secretary of State and the Code Commissioner; and to provide for the expenses thereof.

133. An Act to amend Section 3377, Volume 2, Code of Laws of South Carolina, 1932, relating to license for personal use, by requiring license in cases of excessive catch.
134. An Act to fix the compensation of Petit and Grand jurors and certain other officers of the Court in Cherokee County.
135. An Act to amend Section 7962 of Volume III of the Code of Laws of 1932, so as to require non-resident insurance adjusters to pay to the State of South Carolina a license fee of not less than the same amount as is required by such state to be paid in such state by South Carolina adjusters and to preclude non-resident adjusters of states which preclude South Carolina adjusters.
136. An Act to authorize and require the Grand Jury of Chester County to have all county offices audited annually.
137. An Act to divide the Town of Denmark in Bamberg County, South Carolina, into wards and to provide for the election of wardens or councilmen, and a mayor of said town.
138. An Act to provide for the posting of monthly reports by the Magistrates of York County.
139. An Act to provide for the preferred employment of American citizens when the compensation of such employment is to be paid out of public funds of this State, any subdivision of this State or any municipality in this State.
140. An Act to provide for a Committee of the County Officials of Colleton County to destroy useless records in the Colleton County Court House.
141. An Act to repeal Act No. 753 of the Acts of the General Assembly of South Carolina, 1934, entitled "An Act to amend Chapter 108, Article XI, of South Carolina 1932, Code of Laws, relating to Boards of Tax Assessors and Equalization so as to provide for a Board of Tax Assessors and Equalization for Oconee County; to provide for their appointment; term of office, compensation, powers and duties", approved March 13, 1934; to abolish the Board of Tax Assessors and Equalization of Oconee County created by said Act; and to make applicable to Oconee County the General Law regarding Boards of Tax Assessors and Equalization.
142. An Act to provide that no school districts in Saluda County shall consolidate, unless there is first filed in the office of the County Superintendent of Education a petition, signed by at least a majority of the freeholders in each of the said school districts.
143. An Act to amend Section 1768, Volume I, Code of Laws of South Carolina, 1932, as amended by an Act entitled "An Act to amend Section 1768, Volume I, Code of Laws of South Carolina, 1932, as amended by an Act entitled 'An Act to amend Section 1768, Volume I, Code of Laws of South Carolina of 1932 by exempting Anderson, Colleton, Spartanburg and Oconee Counties from the provisions thereof, and by declaring an open season for hunting foxes in Anderson, Colleton, Spartanburg and Oconee Counties', so as to provide a closed season for the hunting of foxes in Anderson County and a portion of Oconee County and Newberry County", so as to provide a closed season in Anderson County.
144. An Act to terminate the terms of office of the trustees of the various school districts in Lexington County; to provide for the appointment, election and removal of school trustees in Lexington County; to describe their terms of office; and to provide for the filling of vacancies on the board of trustees of the said school districts

145. An Act to authorize and empower the City of Union to grant, bargain, sell and release any land or real estate of the said City of Union.
146. An Act to prohibit the writing of contingent or so-called mortality endowment contracts by life insurance companies, mutual aid associations and fraternal benefit societies, to further regulate the writing of such contracts and to repeal all laws and parts of laws in conflict with this Act.
147. An Act to provide for the payment of Petit and Grand jurors and certain other officers of the Court in Chesterfield County.
148. An Act to further provide for the marking of "*Nulla Bona*" tax execution in Florence County.
149. An Act to make Five Points in Florence County a voting place.
150. An Act to require mutual protective associations, mutual aid associations, benevolent associations, other societies or associations operating on the assessment plan or organized after the passage of this Act and insuring it members against loss by death or disability by accident or disease to deposit with the Insurance Commissioner approved bond or securities in an amount of Ten Thousand (\$10,000.00) Dollars, and to further regulate the organization and operation of companies, societies or associations doing business on the assessment plan.
151. An Act to regulate the selling, bartering, exchanging, and giving away of synthetic drugs known as barbiturates and their compounds; and to provide penalties for violating the provisions thereof.
152. An Act to create for the County of Saluda a County Cooperative Soil Conservation Association Board and to authorize said board to purchase equipment to do power terracing and to control the same for the use and benefit of the land owners of Saluda County and to authorize a levy on lands terraced to be collected for the payment of the obligations incurred in the purchase of equipment and the terracing of said land in Saluda County and to provide for the payment of obligations incurred by the county in the promotion thereof.
153. An Act providing the amount of hunting license fees for non-residents of this State.
154. An Act to abolish the office of Magistrate at Lyman and provide for the office of Magistrate at Reidville and at Duncan in Spartanburg County.
155. An Act regulating the use of seins and nets for fishing in Clarendon County.
156. An Act to create the office of Tax Collector in Horry County, to provide for the appointment and compensation of said officer and to define his duties.
157. An Act providing for the appointment, term of office, salary and duties of the Superintendent of Education for Dillon County.
158. An Act giving consent to the making by Congress of all rules and regulations in respect to game animals, game birds and non-game birds, and fish on lands acquired by the United States in South Carolina, under Act of Congress March 1, 1911; authorizing Chief Game Warden to enter into co-operative agreements with the United States for the protection and management of wild life resources on national forest land in South Carolina and to re-stock the same; authorizing the Chief Game Warden to close hunting and fishing within said lands, to prescribe season for hunting and fishing therein, to fix hunting license fees, to prescribe number and size of animals, birds and fish to be taken, and to provide conditions under which the same may be taken; prescribing penalty for violating rules and regulations of the Chief Game Warden and for other purposes.

159. An Act to amend Sections 555 and 558, Vol. 1, Code of Laws of South Carolina, 1932, so as to provide that undertakings in claim and delivery actions shall cover any depreciation suffered by the property pending the determination of the action.
160. An Act to amend Section 2 of Act No. 829 of the Acts of South Carolina, 1936, entitled "An Act to provide for the supplying of textbooks on a rental system to the school children of South Carolina; to establish methods of distribution, care and use of said books; to provide school books for said rental system, and establish the State School Book Commission and prescribe its duties and powers," so as to provide library books and establish methods for the distribution thereof in the public schools of South Carolina.
161. An Act to fix the pay of Circuit jurors for Sumter County.
162. An Act to amend an Act, entitled "An Act to limit the season for hunting deer in Horry County", known as Act No. 212 of the Acts of the General Assembly for 1935, so as to shorten the open season for hunting deer in Horry County.
163. An Act to provide a closed season for hunting birds, raccoons and opossums in Horry County, and to provide a penalty for violation thereof.
164. An Act to amend Section 17 of an Act entitled, "An Act to define alcoholic and non-alcoholic and non-intoxicating beverages; to legalize and regulate the manufacture, sale, possession, transportation, and use of alcoholic liquors; to provide for licensing manufacturers and dealers; to lay a license tax on alcoholic and non-alcoholic and non-intoxicating beverages; to allocate the revenue therefrom; to provide for the administration and enforcement hereof and making appropriations therefor; to repeal Section 1902 of the South Carolina Code of Laws of 1932; to prohibit bill board advertising; to forbid violations hereof and to provide penalties therefor"; approved the 14th day of May, 1935, and known as Act No. 232, of the Acts of the General Assembly of 1935; so as to provide that when no bids are had upon confiscated liquors after two offers of sale, the same shall be destroyed.
165. An Act to change the fiscal year of Anderson County from January 1st to December 31st to from July 1st to June 30th.
166. An Act to provide for the establishment and management of a public library for Marlboro County, South Carolina.
167. An Act to confirm and ratify an election held consolidating certain school districts in Williamsburg County, and to consolidate certain school districts in Williamsburg County into a high school district, and provide for appointment of trustees and fix the term of office and selection of successors.
168. An Act to provide for the election and appointment of trustees for Pelham School District, and fixing the number and term of office.
169. An Act to authorize incorporated cities and towns in Pickens County to appoint one to three of its citizens to act in an advisory capacity to the Pickens County Board of Equalization and the school trustees of Pickens County.
170. An Act to amend Sections 5676 and 5677, Code of Laws of 1932, so as to change the name of the Dr. John De La Howe Industrial School to the De La Howe School.
171. An Act to amend an Act entitled "An Act to exempt from taxation all lands in Georgetown County owned by an eleemosynary corporation known as Brookgreen Gardens, chartered for the preservation and exhibition of the flora and fauna of South Carolina", so as to provide for exemption from taxation such additional lands and properties as may be added to the said Brookgreen Gardens.

172. An Act to define the term "Banks" and "Banking Institutions" as used in statutes of this State providing for the promulgation of rules, regulations and instructions for the direction, control and protection of all such institutions, the conservation of their assets and the liquidation thereof.
173. An Act to empower the State Board of Bank Control to provide for the filing of written reports of any criminal violations of the statutes of the State of South Carolina or of any duly promulgated rules and regulations of the said State Board of Bank Control with the Grand Jury for the county in which such criminal violations are committed, or to direct the Chief Bank Examiner to make affidavit before a Magistrate and obtain a warrant.
174. An Act to amend Section 7 of an Act entitled "An Act to provide a schedule of state aid for public schools; to levy and impose additional income taxes and public utility and other corporation taxes and licenses; to levy and impose a license tax upon wholesale and retail dealers in malt and vinous beverages; to provide for the issuance of notes for certain school obligations; and to prescribe penalties for the violation of the terms of this Act", known as Act No. 406 of the Acts of 1933, so as to provide for the regulation of special school district levies and the method of handling school funds in Laurens County.
175. An Act to restrict and limit the use of highways by drivers and pedestrians; to regulate traffic on highways; to define certain crimes in the use and operation of vehicles; to require uniform and safe driving practices; to require compulsory accident reports; and to provide for enforcement of this Act and penalties for violations.
176. An Act to amend Section (5369) of the Code of Laws of South Carolina, 1932, as amended by Act No. 356 of the Acts of the General Assembly, 1933, entitled "An Act to amend Section (5369), Civil Code, Code of Laws of South Carolina, Vol. II, 1932, in reference to the appointment of school trustees and their powers" approved May 16, 1933, so as to provide for the re-employment of teachers in the various schools of this State unless they are notified to the contrary.
177. An Act to provide for the forfeiture and disposition of any fishing tackle, nets, seines, or other property used in the catching of fish seized during the closed season for fishing in Horry County, and to authorize officers charged with enforcing the game laws to make reasonable searches therefor when suspected to be in possession of a person not on his own premises.
178. An Act to prohibit the return of tax executions "*Nulla Bona*", without the approval of the local Board of Tax Assessors in Aiken County.
179. An Act to amend Section 5474, Code of Laws of South Carolina, 1932, so as to provide for the letting and renewing of contracts without advertising for bids, contracts for the transportation of pupils in the public schools in Georgetown County.
180. An Act to provide that the trustees of Ellenton School District No. 53 of Barnwell County with the Superintendent of Education, shall make up an estimate of the expenses of said district and to provide for the raising of money therefor and the expenditure thereof.
181. An Act providing that carnivals and traveling shows exhibiting under tents shall be allowed licenses and/or allowed to exhibit in the City of Union and/or in the County of Union during the time that any celebration, fairs or amusements are held in said city and/or county under the sponsorship of the American Legion.

182. An Act to declare the necessity of creating governmental subdivisions of the State, to be known as "Soil Conservation Districts", to engage in conserving soil resources and preventing and controlling soil erosion; to establish the State Soil Conservation Committee, and to define its powers and duties; to provide for the creation of soil conservation districts; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to empower such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for establishing boards of adjustment in connection with land-use regulations, and to define their functions and powers; to provide for discontinuance of such soil conservation districts and for other purposes.
183. An Act to amend an Act entitled "An Act to amend Act No. 783, of the General Assembly of the State of South Carolina, for the year 1934 (38 Stat. 1368), by adding thereto a new section to be known as Section 19, to provide for the extension of the terms of said Act to 'Authorities' or 'Housing Authorities' in communities outside of incorporated towns or cities; and to provide for the action of the legislative delegation and the Senator in said communities in lieu of town councils or city councils and the mayor thereof; and to provide for the determination of the territory to be embraced in said authority", and known as Act No. 345, of the Acts of 1935, so as to provide for the creation of housing authorities in counties, and for the territorial jurisdiction of housing authorities.
184. An Act to exempt certain new industries from all county, municipal and school district taxes in Dorchester County for five years.
185. An Act granting rights-of-way for water pipe and power lines along county roads in Georgetown County.
186. An Act to repeal an Act entitled "An Act to fix the number of school trustees in the several school districts in Lexington County, to fix the term of office and method of appointment and to restrict the power of trustees to employ teachers beyond their term of office", known as Act No. 174 of the Acts of 1933.
187. An Act providing an open season for hunting and killing foxes in Spartanburg County.
188. An Act to authorize the town council of the Town of Allendale, South Carolina, to extend the time for the payment of paving assessments assessed against abutting property owners in the said town, and to provide for the payment thereof in annual or semi-annual installments over a period of not exceeding twenty years.
189. An Act to provide for election of school trustees for Vox School District No. 56 in Florence County.
190. An Act to amend Section 3792 of the Code of Laws of South Carolina, 1932, so as to provide for the re-organization and enlargement of the County Police Commission of Charleston County; to authorize rules and regulations by the commission, and to make further provisions with reference to the operation of the County Police Force.
191. An Act providing an open season for hunting and killing foxes in Dorchester and Barnwell Counties.
192. An Act to provide for the formation and the management of a County Forest Fire Control Organization and providing for the systematic care and management of forests and wild land areas in Marion County, in South Carolina; for the protection of forest lands; to promote reforestation on denuded and under-stocked and sub-marginal areas within the county; defining forests and forest fires; and providing for the financing thereof.

193. An Act to amend Section 4467, Vol. II, Code of Laws of South Carolina, 1932, relating to the Finance Board of Greenwood County, as amended by Act No. 338 of the Acts of the General Assembly, 1935, entitled "An Act to amend Sub-sections (1) and (5) of Section 4467 of the Code of Laws of South Carolina, 1932, by adding to the Finance Board of Greenwood County, etc.", and by an Act approved the—day of April, 1937, entitled "To amend Section 4467 of the Code of Laws of South Carolina, 1932, so as to provide for the countersigning of claims by the purchasing agent, and also to provide for the disposition of funds derived from grants and the sale of revenue bonds" so as to provide that the Treasurer of Greenwood County is to account to the Finance Board for all funds received from grants or sale of revenue bonds and is to be given a release, and that, when requested by a majority of the Finance Board, he shall execute and deliver the necessary bonds in connection with the Buzzard Roost Hydro-Electric Project and the Rural Electrification Project of Greenwood County.
194. An Act to enlarge the powers of the Sanitary and Drainage Commission for Charleston County with respect to regulation of the use of roads and highways in said county, and the elimination of traffic hazards.
195. An Act to divide the State of South Carolina into zones for the purpose of game protection, propagation and distribution.
196. An Act to authorize the Board of Directors of the Major Conservatory of Music to confer the degree of Bachelor of Music and Bachelor of Music in Public School music and to give credit to such diplomas so issued.
197. An Act to fix the salaries of the members of the Sinking Fund Commission for Union County.
198. An Act to repeal an Act entitled "An Act to provide for the method of election and appointment of the members of the boards of school trustees of Lexington County, and to provide for the number and appointment of the members of the County Board of Education of said county", known as Act No. 97 of the Acts of 1935.
199. An Act to amend an Act entitled "An Act to provide for the nomination of Game Warden for Aiken County in the primary election", approved April 27, 1933, so as to provide for the election in the primary and appointment of the Game Warden of Aiken County under certain contingencies.
200. An Act to authorize prisoners awaiting trial in Lee County to work upon the chaingang under certain conditions, to provide compensation therefor and prescribe the duties of certain officers with respect thereto.
201. An Act to repeal Act No. 902 of the Acts of the General Assembly for the year 1936 and Act No. 802 of the Acts of the General Assembly for the year 1934; and to amend Subdivision 1 of Section 6333, Code of Laws of South Carolina, 1932, with reference to licensing carnivals and traveling tent shows in Darlington County.
202. An Act to amend that part of Section 2296, Volume 2, Code of Laws of South Carolina, 1932, relative to Pickens County, as amended by Act 747 of the Acts of the General Assembly, 1934, approved March 13, 1934, and by Act 869 of the Acts of the General Assembly, 1934, approved April 7, 1934, and by Act 620 of the Acts of the General Assembly 1936, approved February 10, 1936, by striking out that part of said section and inserting in lieu thereof a new part of said section, providing for voting precincts in Pickens County.
203. An Act to amend Section 3373, Volume II, Code of Laws of South Carolina, 1932, by increasing the fee to be paid the County Treasurer as provided therein.

204. An Act to create a Board of Police Commissioners to provide revenue or a source of revenue for the purpose of paying insurance and annuity benefits to the peace officers of the State of South Carolina.
205. An Act to provide for alternate jurors to be drawn and serve in case of illness or death or other disability of a member of a jury panel.
206. An Act to protect trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of commodities under a distinguishing trademark, brand or name.
207. An Act to require a license for anglers in this State.
208. An Act to amend an Act entitled "An Act to amend Section 7381, Volume 3, Code of Laws of South Carolina, 1932, exempting the City of Chester from the provisions thereof", known as Act No. 613, of the Acts of 1936, approved January 22, 1936, to exempt the Town of Elloree from the provisions thereof.
209. An Act to create a financial board to protect the credit and finances of Union County; to provide for the election and to fix the term of office of the members of said board; and to prescribe the powers and duties of the said financial board.
210. An Act to require each and every employer of Greenville County, South Carolina, either corporate or private, to file with the County Auditor of Greenville County, within sixty (60) days after the approval of the Act by the Governor in 1937, and during the months of January and February of each year thereafter, a certified list of all male employees employed by them as of January 1st of each year, showing the name, address, age and length of time employed, and to fix the penalty for non-compliance with this Act.
211. An Act to provide for the creation of municipal corporations at resort communities in South Carolina.
212. An Act to amend Section I, of Act No. 631 of the Acts of the General Assembly of South Carolina, 1934, entitled "An Act to require every firm, association and corporation doing a life and/or health and/or accident insurance business in the State of South Carolina to deliver with each policy of insurance issued a copy of the application therefor so that the whole contract shall appear in such application and policy, and to provide a penalty for the failure to so deliver a copy of said application", approved Jan. 24, 1934, so as to exempt certain policies from the provisions thereof.
213. An Act to authorize and regulate the issuance of bonds for the purpose of refinancing, or of refinancing and improving, revenue-producing works, undertakings, and projects by counties, townships, city and incorporated towns, and to provide for the payment of such bonds.
214. An Act to amend Section 2 of an Act entitled "An Act to fix the number of trustees of Ninety Six School District No. 13 in Greenwood County; to prescribe their terms of office and provide a method of election of the same", known as Act No. 908 of the Acts of 1936, relating to terms--vacancies--elections, so as to further provide for successors and terms of office.
215. An Act to validate the election held in March, 1937, for school trustees in Gable School District No. 35, of Clarendon County, and Turbeville School District No. 20, of Clarendon County, and to provide for their terms of office and to further provide for the election of trustees in said school districts and in Oakdale School District No. 14 of said county.

216. An Act to amend Section 3814 of the Code of Laws of South Carolina of 1932, Subsections (1), (2), (3), and (4), relative to the Rural Police System for Spartanburg County, the appointment, duties and powers of the rural policemen and detectives.
217. An Act to amend Section 5641, Code of Laws of South Carolina, 1932, by further providing for the appointment of trustees of High School District No. I, of Dillon County.
218. An Act to amend Section 3385, Code of Laws of South Carolina, 1932, so as to further regulate the fishing for shad in the streams of this State.
219. An Act to amend Section 13 of an Act entitled "An Act to amend an Act entitled: 'An Act to amend Sections 118-140, inclusive of the Code of Laws of South Carolina, 1932, relating to County Court of Greenville County, so as to increase the jurisdiction of the County Court in civil matters, so as to abolish the office of County Solicitor, to strike out all sections or parts of sections relating to the trial of criminal cases and the criminal jurisdiction, to provide for the appointment of an assistant to the Circuit Court Solicitor, etc.'," known as Act No. 5 of the Acts of 1935, so as to further provide for the terms of Court.
220. An Act to amend Section 432, Code of Laws of South Carolina, 1932, so as to place a limitation on the time within which a notice of the pendency of an action shall operate as constructive notice to a purchaser or encumbrancer of the property affected thereby.
221. An Act to require peddlers of live stock to obtain a license therefor before engaging in business in Marion County.
222. An Act to amend an Act entitled "An Act providing for and regulating the letting of contracts for transportation of school pupils in Hampton County", approved the 15th day of March, 1935, by further providing for the letting of said contracts in Furman and Nixville Districts in said county.
223. An Act to regulate the practice of barbering in the State of South Carolina.
224. An Act to provide that there shall be no closed season for the hunting, shooting, catching and killing of foxes in Kershaw County, except in Flat Rock Township in said county. to prohibit the use of steel traps in catching foxes in said county and to provide the penalty of violation thereof.
225. An Act to provide for distribution of the shad fry from Andrews Shad Hatchery into several rivers whose waters flow into Winyah Bay, according to the size and length of the respective streams.
226. An Act to Amend Section 63 of the Code of Laws of South Carolina, 1932, as amended by an Act entitled "An Act to amend Section 63, Volume 1, Civil Code, Code of Laws of South Carolina, 1932, so as to fix the time for the holding of General Sessions and Common Pleas Court of Pickens County", known as Act No. 755 of the Acts of 1932, so as to further provide for the terms of Court in Greenville County.
227. An Act to provide for the formation and the management of a County Forest Fire Control Organization and providing for the systematic care and management of forests and wild land areas in Colleton County, in South Carolina; for the protection of forest lands; to promote reforestation on denuded and under-stocked and sub-marginal areas within the county; defining forests and forest fires; and providing for the financing thereof.

228. An Act to further provide for the appointment of the trustees for the Aiken County Hospital and fix their terms of office; to provide for the appointment of a superintendent and a business manager of said hospital, and to prescribe their powers and duties and fix their compensation.
229. An Act to amend an "Act to provide for the creation and appointment of a Supervisor and County Commissioners, consisting of nine, one from each township; to provide the salaries, duties, manner of appointment and terms of office; and to provide for the maintenance and construction of highways in York County; to provide for procuring of finances for the maintaining of the highways in each township", so as to provide for the appointment of a County Attorney and the janitor of the Court House, by the York County Legislative Delegation.
230. An Act to require the district boards of trustees to submit budgets of the operating expenses of the several school districts of Clarendon County for the approval of the County Board of Education; to provide for the payment of said budgets and the fixing of the special levies in said school districts.
231. A Joint Resolution to exempt any and all manufacturing enterprises hereafter locating in either Charleston or Georgetown or York Counties, or recently located in either of said counties, the plant or plants of which are in process of construction, and the capital stock of which is not less than Three Hundred Thousand (\$300,000.00) Dollars, from county taxes for a period of ten years.
232. An Act to provide for the holding of an election in Abbeville, South Carolina, on the question of issuing \$5,000.00 in coupon bonds for the purpose of building an annex to the Abbeville County Memorial Hospital; for the expenditure of the proceeds of sale; for the payment of the principal and interest of said bonds; to provide for a hospital commission, and to define its powers and duties.
233. An Act to further regulate the amount of tuition payable to the high school districts of Clarendon County on account of the attendance upon high school of pupils residing in common school districts.
234. An Act to set up Charleston County's portion of gasoline taxes in a separate fund in the County Treasurer's office and to provide for the operation of the Sanitary and Drainage Commission therefrom and for the expenditure of the same.
235. An Act to provide for the appointment and number of trustees of School District No. 32 in Darlington County, to define their powers and duties, and to validate all acts of the trustees of said school district since the second day of April, 1930.
236. An Act authorizing a majority of the Union County Delegation to remove the captain of the county chaingang for satisfactory cause and to elect a successor.
237. An Act to amend Section 3840, Code of Laws of South Carolina, 1932, by further providing what prisoners the Supervisor of Jasper County may be permitted to work on the public works of Jasper County.
238. An Act to safe-guard the use of roads in Newberry County not in the State Highway System by preventing excess weight loads thereon.
239. An Act to regulate and limit the use of motor vehicles used for the transportation of school pupils and to provide for the proper equipment and safeguards on said vehicles; to provide for painting and marking such vehicles in a distinctive manner; and to provide for the inspection of said vehicles by the Highway Department; and to provide for the enforcement of this Act by providing penalties for the violation thereof.

240. An Act to create the Charleston County Welfare Board, and to define and provide its powers and duties, including the duty of acting as the Board of Charleston County for the administration in said county of Social Security and Old Age Pension legislation and legislation for direct relief thereunder.
241. An Act to create the office of Tax Collector of Clarendon County, define his powers and duties, provide for his appointment, term of office, removal and compensation, and to fix the amount of his bond and that of the Sheriff.
242. An Act to require all owners and operators of buses engaged as common carriers of passengers for hire in the State of South Carolina to separate white and colored passengers, and to provide a penalty for the violation thereof.
243. An Act to amend Section 1 of Act No. 714 of the Acts of 1936, entitled "An Act to provide for and require boats licensed to trawl for shrimp to carry registration numbers and to provide penalties for violations," approved March 27th, 1936, so as to make further provisions as to the location and size of such numbers on such boats.
244. An Act to exempt moneys paid by the United States to executors, administrators or heirs of the World War Veterans from claims of creditors.
245. An Act to permit, at any time, the hunting, shooting, trapping, catching and killing of foxes in Florence County for a period of five years.
246. An Act to provide for the election of five trustees of School District No. 21, at Denmark in Bamberg County, South Carolina.
247. An Act to authorize reciprocity between the State of South Carolina and any other State with respect to the operation of certain motor vehicles.
248. An Act to authorize the State Highway Department to construct an overhead bridge over the tracks of the Blue Ridge Railway Company in the City of Anderson and to fix the vertical clearance of said bridge.
249. An Act to Amend Section 7 of Act No. 249 of the Acts of the General Assembly, State of South Carolina, 1935, entitled "An Act to provide for the formation and management of a County Forest Fire Control Organization and providing for the systematic care and management of forests and wild land areas in Richland County, in South Carolina; for the protection of forest lands; to promote reforestation on denuded and under-stocked and sub-marginal areas within the county; defining forests and forest fires; and providing for the financing thereof", to further provide for the appointment and term of office of the members of said Forest Fire Control Board of said county.
250. An Act to amend Act No. 863 of the Acts of the General Assembly, 1936, entitled "An Act to amend Section 6426, Volume III, Code of Laws of South Carolina, 1932, relating to the compensation of cotton weighers in York and Florence Counties, etc.", with reference to Florence County.
251. An Act to fix the compensation of Circuit Court jurors of Orangeburg.
252. An Act to establish a County Court in Oconee County, to fix its jurisdiction, to provide for its officers and their appointments and election, to provide remuneration, term of office, define their powers and prescribe their duties; and to submit the question of the establishment of such Court to the qualified electors in Oconee County, to request political parties holding primaries in said county to submit the question of the establishment of said Court to the voters in such primaries; and to request political parties to nominate candidates for the office of County Solicitor.

253. An Act to amend Section 5359 of the Code of Laws of South Carolina, 1932, as amended, by adding at the end thereof a provision allowing the trustees of School District No. 2, in Charleston County, to hold an election for the purpose of issuing bonds upon a petition to be signed by at least one-third of the resident electors.
254. An Act to change the fiscal year of York County.
255. An Act to amend Section 3594, Code of Laws S. C., 1932, relating to roll of jurors and Constables in attendance, etc., so as to provide for the countersigning of pay certificates of jurors and Constables.
256. An Act to require those who offer for sale, seller and peddlers of live stock to obtain a license to do so before engaging in such business in Lee County.
257. An Act to amend Sections 5232, 5245 and 5248, Code of Laws of South Carolina, 1932, relating to the practice of optometry, so as to further define the practice thereof, and to prohibit misleading advertisements in connection therewith.
258. An Act to create for the County of McCormick a County Co-operative Soil Conservation Board, and to authorize said board to borrow money for the purpose of purchasing equipment to do power terracing and to control the same for the use and benefit of the land owners of McCormick County, and to authorize a levy on lands terraced to be collected for the payment of the obligations incurred in the purchase of equipment, and to provide for the payment of obligations incurred by the county in the promotion thereof.
259. An Act to regulate and to provide for the levy of special school taxes in Rock Hill School District No. 12, in York County.
260. An Act to prescribe the time that taxes shall be due and payable in Chester County.
261. An Act to require the Auditor of Orangeburg County to place the post office address upon the tax return of each taxpayer of Orangeburg County, and to require the Treasurer to notify each taxpayer the amount of his or her taxes.
262. An Act to regulate the use of milk bottles, milk cans and milk bottle crates.
263. An Act to authorize any county officer of any county in the State of South Carolina to deliver to any representative of the University of South Carolina any records of his office which have become obsolete.
264. An Act to make it unlawful to fish with anchor nets, stake row nets and pound nets for shad and sturgeon within the three mile limit from the jetties of Winyah Bay.
265. An Act to provide for a Cotton Weigher for the Town of Darlington, and prescribe his duties and compensation.
266. An Act to amend Act No. 924 of the Acts of the General Assembly of South Carolina, 1936, entitled "An Act to establish a township form of government for Folly Island, Charleston County, State of South Carolina", approved June 1, 1936, so as to give the Board of Township Commissioners for Folly Island power and authority to regulate and license businesses, including hawking and peddling, carried on on Folly Island.
267. An Act to exempt manufacturing establishments in Orangeburg County from county taxes for five years, except for school purposes, in certain cases, and to authorize the County Auditor of said county to determine the industries therein entitled to the exemption provided for.

268. An Act to exempt additions of not less than Fifty Thousand (\$50,000.00) Dollars in value to existing manufacturing enterprises in Bamberg County from county taxes for a period of five (5) years.
269. An Act to amend Act No. 61 of the Acts of South Carolina, 1935, entitled "An Act to promote the objects of the National Housing Act authorizing banks, savings banks, trust companies, etc.", so as to clarify the provisions of said Act as the same pertain to the Federal Housing Act.
270. An Act to authorize closing of public offices in Marlboro, Sumter, Beaufort and Georgetown Counties during certain periods of the year.
271. An Act to empower South Carolina Tax Commission to relieve bottlers of soft drinks, wholesale dealers in tobacco products, wholesale dealers in beers, ales, porter, and all other similar malt or fermented beverages declared to be non-alcoholic and non-intoxicating intended to be shipped and sold to points without the State, from affixing thereto stamps or crowns.
272. An Act to amend Section 4 of Act No. 777 of the Acts of South Carolina, 1932, entitled "An Act to provide for the incorporation, organization and operation of cash depositories in the State of South Carolina", as amended by Act No. 126, of the Acts of South Carolina, 1933, and by Act No. 63, of the Acts of South Carolina, 1935, so as to provide that officials of cash depositories may deposit cash or securities with the State Treasurer in lieu of furnishing fidelity bond; and to authorize cash depositories to secure deposits of public funds under certain conditions.
273. An Act to amend Section 2167, Code of Laws of South Carolina, 1932, relating to the creation of a Forfeited Land Commission by striking out Subdivisions A, B, C, D, E, F, G, H, I, J, K, L, M, N, and O of the said section relating to Union County, and devolving the duties of the Forfeited Land Commission upon the Sinking Fund Commission for said county, and further prescribing its duties.
274. An Act to amend Act No. 865, of the General Assembly of this State for the year 1936, by providing that the chairman of the Board of Commissioners for Horry County shall give a bond in the sum of Five Thousand (\$5,000.00) Dollars.
275. An Act to prevent the City of Union from conveying any real property by it owned.
276. An Act to exempt the property in Richland County owned by the Church Home Orphanage of York, S. C., from county taxes of said county.
277. An Act to authorize the State Highway Commission to purchase from Georgetown County the bridge across the Black, Pee Dee and Waccamaw Rivers on U. S. Route 17 at Georgetown; to authorize the State Highway Commission to free said bridge of toll charges; and to authorize the Georgetown County authorities to sell said bridge to the said commission; and to provide for the issuance of State highway certificates of indebtedness to raise funds for the purchase of said bridge.
278. An Act to provide a system of county government for the County of Darlington and to provide for the appointment and powers and duties of the various county officers to be elected or appointed hereunder and other county officers, and to repeal all legislation inconsistent herewith.
279. An Act to authorize the State Highway Department to construct federal aid secondary or feeder highways including farm to market roads.
280. An Act to authorize the re-location of the section of State Highway No. 261 in and between the Towns of Paxville and Pinewood in Clarendon and Sumter Counties.

281. An Act to amend Section 3106, Volume 2, Code of Laws of South Carolina, 1932, relating to deeds, etc., of railroads to be recorded and the marking of certain railway equipment with the name of the vendor, etc., by striking out the words "or mortgagor" so as not to require the word "mortgagor" to be marked on each side of certain railroad equipment.
282. An Act to amend Section 5350 of the Code of Laws of South Carolina, 1932, so as to make provisions for the maximum and minimum area of school districts in the County of Charleston.
283. An Act providing for the transfer by the Clerk of Court to the Treasurer of Laurens County of all funds, notes, bonds and other assets officially belonging to the Sinking Fund Commission of said county, designating said treasurer as custodian thereof, and providing a penalty for violation of the provisions of this Act.
284. An Act to amend an Act, entitled "An Act providing for the creation of public authorities to engage in slum clearance projects and the construction and acquisition of housing accommodations for families of low income; for the renting of such housing accommodations at reasonable rentals; for the elimination of unsanitary and congested housing conditions; for the exercise by public housing authorities created thereunder of certain rights and powers, including the right of eminent domain, the power to incur indebtedness; issue bonds, notes or other evidences of indebtedness; to buy, sell and own real estate; to lend money; for the defining of the powers, rights and duties of the housing authorities and of the State Board of Housing with reference thereto, and for the promotion of public health, safety, morals and general welfare", and known as Act No. 783 of the Acts of 1934, as amended by Act No. 301 and Act No. 345 of the Acts of 1935, so as to provide for the creation of housing authorities; for the security of bonds of housing authorities and the remedies of bondholders of housing authorities; for the renting of dwelling accommodations only to persons of low income; for the exemption of the property of housing authorities from taxation; for the repeal of the provisions for dissolution of housing authorities; and for certain powers and duties of housing authorities.
285. An Act to create a Board of Naturopathic Examiners and to regulate the practice of naturopathy and to provide penalties for violation of this Act, and prohibit the practice of any other mode or system under the name of naturopathy.
286. An Act to provide a Forfeited Land Commission for Marlboro County and prescribe its duties.
287. An Act creating boards of highway beautification in Charleston, Dorchester and Berkeley Counties; to provide for the terms of office and appointment of the members thereof; and to prescribe their duties.
288. An Act to repeal Act No. 69, of the General Assembly of South Carolina, 1933, entitled "An Act to amend Section 5474, Volume Two, Code of Laws of South Carolina, 1932, relating to transportation of pupils to and from public schools, so as to authorize local trustees in Lexington County to designate official routes and to participate in letting contracts for the transportation of pupils, and to further regulate the terms of such contracts", approved February 17, 1933, relating to transportation of pupils to and from public schools in Lexington County.
289. An Act to provide for the appointment of a school board authority of Jasper County, and to provide for the payment of certain obligations of the respective school districts of that county, and to authorize the said authority to borrow money for school purposes and to provide for the payment thereof.
290. An Act to amend Section 56, Vol. I, Code of Laws of South Carolina, 1932, as amended by Act 172 of the Acts of 1935, approved April 20, 1935, so as to provide for the terms of Court in York County; and to provide for the appointment of auctioneers for legal public sales, and for a stenographer in cases before the Clerk of Court or Special Referee.

291. An Act to provide for the formation and the management of a county forest fire control organization and providing for the systematic care and management of forests and wild land areas in Greenville County, in South Carolina; for the protection of forest lands; to promote reforestation on denuded and understocked and sub-marginal areas within the county; defining forests and forest fires; and providing for the financing thereof.
292. An Act to exempt the Town of Fort Mill, York County, South Carolina, from the provisions of Section 7381, Code of Laws, South Carolina 1932, and Acts amendatory thereof.
293. A Joint Resolution exempting new manufacturing establishments and certain additions to old plants from county taxes, except for school purposes for five (5) years in Orangeburg County.
294. An Act to amend Act No. 762, of the Acts of the General Assembly of 1936, entitled "An Act to provide an annual levy in Darlington County to raise its share for the maintenance of the Florence-Darlington tuberculosis sanatorium, and to provide a fund for certain permanent improvements," approved April 23, 1936, so as to provide an annual levy of two mills for said purposes.
295. An Act to provide manner, procedure, qualification for registration and voting in primary elections in cities with a population of not more than 30,000 and not less than 29,000 according to the 1930 United States census.
296. An Act to amend Section 2578, Code of Laws of South Carolina, 1932, so as to exempt from taxation property owned by Congaree Aerie No. 1349, fraternal order of Eagles, and the trustees thereof.
297. An Act to amend Section 1549, Code of Laws of South Carolina, 1932, as amended, so as to authorize the magistrates, constables, deputies and sheriff of Lancaster County to collect fees and mileage in cases of violation of the worthless check law, when prosecutions in such cases are discontinued by settlement or compromise.
298. An Act to amend Section 5331, Volume 2, Code of Laws of South Carolina, 1932, relating to duties of assistant Superintendent of Education in certain counties, so as to provide, that the Superintendent of Education of Spartanburg County may designate an employee or employees of his office to manage the fiscal affairs of said office during his absence.
299. An Act providing for the acquisition, construction, operation and regulation of airports and other navigation facilities; declaring the ownership and operation of airports to be a public, governmental and municipal purpose; providing the right of condemnation for airport purposes by cities, South Carolina Aeronautics Commission and other political subdivisions; providing for the issuance of bonds and for the levying of taxes for such purposes; and extending police regulations to such public airports.
300. An Act to amend Subsection 1 of Section 5567, Volume II, Code of Laws of South Carolina, 1932, relating to the election of school trustees in Laurens County so as to provide that the petition requiring an election be signed by a designated per cent of the resident white patrons and resident freeholders and to further specify the time such petitions must be filed with the County Board of Education.
301. An Act to provide for the formation and the management of a county forest fire control organization and providing for the systematic care and management of forests and wild land areas in Lee County, in South Carolina; for the protection of forest lands; to promote reforestation on denuded and understocked and sub-marginal areas within the county; defining forests and forest fires; and providing for the financing thereof.

302. An Act to provide for the payment of tuition by school districts not consolidated with, but sending pupils to other school districts in Williamsburg County or adjoining districts in adjacent counties.
303. An Act to provide for the appointment of seven (7) trustees for proposed consolidated School District Number 3 of Williamsburg County, the State of South Carolina, for their term of office, their powers and duties, and for the appointment of their successors, and providing, if the proposed consolidation is perfected, that certain existing levies of taxes be repealed, and further providing for the levy of a tax upon the proposed consolidated district, and providing further for the entrance at a later date of certain school districts into the proposed consolidated school district.
304. An Act to safeguard the use of roads in Laurens County not in the State highway system by preventing excess weight loads thereon; and to provide a penalty for the violation thereof.
305. An Act making it unlawful to be eavesdropper or "peeping tom" and providing exceptions in cases of officers of the law in performing their official duty and providing a penalty for the violation thereof.
306. An Act to amend Volume III, Section 7961 of the 1932 Code of Laws of South Carolina, so as to provide a penalty for violation of the Broker's Act.
307. An Act to amend Section 1 of an Act entitled "An Act requiring all cases, civil and criminal, triable or originating before magistrates in Aiken County, to be heard by the magistrate in whose judicial district same originates, and authorizing Magistrate H. B. Garvin and Magistrate D. H. Sawyer to define the district lines between their respective districts", known as Act No. 874 of the Acts of the General Assembly of South Carolina, 1934, approved April 7th, 1934, so as to further regulate the jurisdiction of magistrates and constables in Aiken County.
308. An Act to amend Section 4755, Volume II, Code of Laws, South Carolina, 1932, by changing the term of office of the members of the board of control of Spartanburg County.
309. An Act to further amend Act No. 299 of the General Assembly of South Carolina entitled "An Act authorizing any county, township, city or incorporated town in the State of South Carolina to purchase or construct a waterworks system, etc.," approved May 8, 1933, by amending Section 7 of said Act so as to provide that bonds issued pursuant thereto shall mature in such amount, or amounts, and at such time or times as may be fixed in the ordinance or resolution authorizing such bonds, notwithstanding any inconsistent provision contained in any other law, and that the provisions of this amendment shall apply to bonds issued pursuant to said Act notwithstanding that the proceedings authorizing the issuance of such bonds may have been taken by a borrower prior to the effective date of this amendment.
310. An Act to authorize the magistrates of Greenville County to collect costs upon the compromise or settlement of criminal cases.
311. An Act making Doctor W. A. Tripp of Anderson County and Doctor W. A. Woodruff of Spartanburg County honorary members of the board of trustees of the medical college of the State of South Carolina until 1943.
312. An Act to provide for the election of school trustees in New Port School District No. 36 of York County and fix their term of office.
313. An Act to amend Section 3244, Code of Laws of South Carolina, 1932, so as to increase and further define the duties of inspectors of the department of labor, and to authorize and empower the Commissioner of labor, or his agents, to inspect buildings and other structures.

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314. An Act to create and establish the Greenwood County Public Library, define the method of electing the members of board of trustees, fix their term of office and define their duties and powers.
315. An Act to provide for the levy of a tax on taxable property in Union County for the purpose of assisting in the expenses of the high schools in said county and to be used in replacing the tuition charges provided for in Section 4818, Vol. 2, Code of Laws of South Carolina, 1932.
316. An Act to amend an Act regulating persons, corporations, and municipalities engaged in the generation, transmission, delivery or furnishing of electricity for light, heat, or power, prescribing the duties of the Railroad Commission in relation thereto, and prescribing penalties for the violation of the provisions thereof, said Act being approved by the Governor on the 8th day of April, 1932, by striking out the proviso at the end of Subsection (k) of Section 2 of said Act, and substituting in lieu thereof a new proviso relating to the time, manner and condition under which appeals to the Supreme Court from the order of the Public Service Commission shall be had.
317. An Act to amend Section 2167, Volume II, Code of Laws of South Carolina, 1932, by adding a proviso thereto pertaining to Beaufort County.
318. An Act to amend Section 1217, Volume 1, Code of Laws of South Carolina, 1932, relating to exemptions of various counties from Sections 1215 and 1216, so as to provide that said sections shall apply to York County.
319. An Act to create the South Carolina Department of Public Welfare and county departments of public welfare, to prescribe the duties and powers of the same, and to promote the public welfare by providing assistance and services for the needy aged, blind, children and other handicapped and unfortunate persons.
320. An Act to amend Section 5 of an Act entitled "An Act to amend Section 2869, Volume II, Code of Laws of South Carolina, 1932, relative to collection of delinquent taxes in Chester County, and to confer upon the tax collector of Chester County the power and duty to levy upon and sell real estate against which tax executions are now or hereafter issued; and to fix the fees and charges allowed the tax collector for said county; and to transfer the powers and duties of the sheriff of said county in regard thereto", known as Act No. 677 of the Acts of 1934, so as to provide for giving notice to delinquent taxpayers, and to fix the compensation therefor.
321. An Act to provide for a County Board of Education in Lancaster County to have the financial, executive, administrative and clerical control of the schools in Lancaster County; to provide for the appointment of members of said board, prescribe their qualification and terms of office; provide for their per diem allowances; to provide for the employment and qualifications of the superintendent of schools of said county, and the selection of the trustees and teachers of said schools and require said board to operate and maintain the county library of said county.
322. An Act to create Dunbarton Grammar School District of Barnwell County, and provide for its management, maintenance and control.
323. An Act to amend Section 8952, Code of Laws of South Carolina, 1932, as heretofore amended, relating to the appointment of nonresidents as executors by adding a proviso with reference to the release of sureties on the bonds of such nonresident executors.
324. An Act to amend Sub-section 1 of Section 2827, Volume II, Code of Laws of South Carolina, 1932, by adding at the end thereof a proviso whereby county funds may be deposited in State bank banks and depositories without security being given for same.

325. An Act to amend Section 7 of an Act entitled "An Act to amend Section 7 of an Act entitled an Act to provide for the establishment of a new school district in Abbeville County, etc., and designated as Act No. 976 of the Acts of the General Assembly for the year 1934, so as to further define the duties of the board of school trustees.
326. An Act to further provide for the observance of the Sabbath Day or Sunday; to prohibit the employment of a regular employee, as herein defined, or the permitting of such regular employee to work in or about any textile manufacturing, finishing, dyeing, printing and processing plant on the Sabbath Day or Sunday, except only in case of absolute necessity or emergency, and then only on condition that such employee be paid on basis of one and one-half wage or salary, and to provide punishment for violations.
327. An Act to authorize and empower the Clerk of Court for Spartanburg County to destroy obsolete papers in his office.
328. An Act to establish the location of a section of U. S. Highway 501 in Horry County.
329. An Act to require the board of registration for Spartanburg County to designate on its records and the certificate of registration the school district in which the registrant resides.
330. An Act to exempt the Masonic Home in Florence, S. C., from county, municipal and school taxes.
331. An Act to amend Sections 1469, 1471 and 1475 of the Code of Laws of South Carolina of 1932, so as to prohibit the employment of persons under the age of sixteen (16) years under certain conditions, to regulate the same and to provide for the enforcement thereof.
332. An Act to amend an Act entitled "An Act to amend Section 6587, 6589 and 6592, Volume 3, Code of Laws of South Carolina, 1932, pertaining to the labeling of concentrated commercial feeding stuff, so as to eliminate therefrom carbohydrates", known as Act No. 851 of the Acts of 1936, so as to provide that no tags or cards shall be fastened to bags containing commercial feed stuff by metal holders.
333. An Act to exempt for a period of five (5) years new rural electrification lines or additions to, or extensions of existing lines, from payment of taxes in Lancaster, Beaufort, Union, Chester and Kershaw Counties.
334. An Act to amend Section I of Act No. 102 of the Acts of the General Assembly, 1933, as amended by Act No. 788 of the Acts of the General Assembly of 1934, with reference to the amount of taxes which may be levied in Greer School District No. 9-H, Greenville County.
335. An Act to require owners of certain property in Greenville County to make connections with sewer lines.
336. An Act to amend an Act entitled "An Act to create the office of tax collector in Allendale County, to provide for the appointment and compensation of such officer and to define his duties", approved April 18th, 1936, by further defining the duties and powers of the said tax collector, by fixing the amount of his official bond.
337. An Act to amend Section 2527 of the Code of Laws of South Carolina, 1932, as amended by Act No. 273 of the Acts of the General Assembly of South Carolina, 1935, entitled "An Act to amend Sub-section (h) of Sub-section 5 of Section 2527, Volume 2. Code of Laws of South Carolina, 1932, so as to provide that there shall be no business license tax on the sales of crystallized and/or glazed cherries, pineapple or other fruits", approved May 11, 1935, so as to eliminate from the provisions thereof the provisions of Sub-section (h) relative to license tax on the sale of candy.

338. An Act prescribing the formalities of execution of contracts of membership agreements between persons, firms, or corporations and prescribing the terms thereof with cotton co-operative associations; to provide for the termination of all existing agreements in such associations, and to provide a penalty for violation of the provisions thereof.
339. An Act to provide for the construction of buildings at certain State educational institutions and for the payment, with interest, of certain certificates of indebtedness of the State, and for these purposes to authorize the issuance of evidences of indebtedness of the State, and to appropriate and provide for the disposition of a certain portion of the income tax; and to replace revenue available for school purposes under existing laws by amending Section 6, of Act No. 232, Acts of 1935, entitled "An Act to define alcoholic and non-alcoholic and non-intoxicating beverages, etc.," by changing the rate of tax provided therein and thereby provide supplementary revenue for school purposes.
340. An Act to repeal Sections 6353-6362, inclusive, Code of Laws of South Carolina, 1932, and to authorize and to define the duties and powers of the Commissioner of labor respecting arbitration and conciliation of industrial disputes, and to provide for certain expenses.
341. An Act to provide for the management of the Dorchester County hospital.
342. An Act to change the fiscal year of Beaufort County.
343. An Act to create for the County of Edgefield a county cooperative soil conservation board and to authorize said board to borrow money for the purpose of purchasing equipment to do power terracing and to control the same for the use and benefit of the landowners of Edgefield County and to provide for the payment of obligations incurred in the purchase of equipment.
344. An Act to provide for regular attendance upon the public schools of the State of children between the ages of seven and sixteen years; to provide for the taking of a census and enrollment of all children of school age who are not enrolled; to provide for the election of attendance teachers, prescribe their powers and duties and fix their compensation; to provide funds and means for carrying out the provisions of this Act, and prescribe penalties, for violation thereof.
345. An Act to authorize and empower the Sinking Fund Commission of Hampton County, composed of the Treasurer and Auditor of said county, to purchase and retire any and all bonds of Hampton County or any sub-division thereof from the fund of which they have control.
346. An Act to authorize and empower the Board of Charity Appeals of Greenville County to have supervision, control and regulation of the county nurses.
347. An Act to amend Section 3374, Volume II, Code of Laws of South Carolina, 1932, relating to scale of fisheries' tax by providing for tax on all shad imported into this State.
348. An Act to amend Section 2176, Vol. 2, Code of Laws of South Carolina, 1932, entitled: "Section 2176 attorney—Forfeited Land Commission of Richland County."
349. An Act to raise revenue for the support of the State government by the levy and collection of a tax upon the income of banks in lieu of all other taxes except taxes on real property.

350. An Act abolishing the governing board (advisory board) and devolving all the powers, duties, responsibilities and functions thereof on the Supervisor of Union County, abolishing the salaries of members of governing board (advisory board) of Union County, and making it unlawful for the Supervisor to issue vouchers in payment of the same after July 1st, 1937, and making it unlawful for the Treasurer of Union County to honor and/or pay the same after July 1st, 1937, with the exception of salaries aforesaid members of governing board (advisory board) earned prior to July 1st, 1937.
351. An Act to regulate sales of property in the City of Charleston by the Forfeited Land Commission of Charleston County.
352. An Act authorizing the State Commission of Forestry to make rules and regulations pertaining to State forests and parks; making it a misdemeanor to remove any shrub or tree and to cut and mutilate same or to mutilate or deface any property upon any State forest or State park and to fix the penalties for violating the provisions thereof.
353. An Act to provide for the placing of prisoners in the municipal jails of York County and to provide for the maintenance of such prisoners.
354. An Act to create and establish Varnville Consolidated High School District in Hampton County, South Carolina.
355. An Act to amend Act No. 801 of the General Assembly of South Carolina for the year 1934, relating to the time for holding the Courts of the Fourth Judicial Circuit by providing for an additional term in Chesterfield County and an additional term of Common Pleas Court in Aiken County in the second circuit.
356. An Act to prohibit the working at hard labor of prisoners on the Union County chain gang for a period of more than ten hours during any one day of twenty-four consecutive hours.
357. An Act to create the Forfeited Land Commission of Spartanburg County; provide to the election of its members and their terms of office; to prescribe its powers and duties; and to provide for the compensation of its members.
358. An Act to amend Act No. 231 of the Acts of the General Assembly of South Carolina, 1935, entitled "An Act to provide for the manner of designating certain magistrates in Anderson County under certain conditions and to enlarge and define their jurisdiction" etc., approved May 4, 1935, as amended by Act No. 793 of the Acts of the General Assembly of South Carolina, 1936, entitled "An Act to amend Act No. 231 of the Acts of the General Assembly of South Carolina, 1935," etc., approved April 30, 1936; so as to further provide for the compensation of jurors serving in special magistrates' Courts in Anderson County; and to further provide for the transfer of criminal cases by special magistrates in said county; and to further provide for the preparation of a jury box.
359. An Act to amend Section 1 of an Act entitled "An Act to amend Section 5369 of the Code of Laws of South Carolina, 1932, as amended by Act No. 356, of the Acts of the General Assembly, 1933, entitled 'An Act to amend Section 5369, Civil Code, Code of Laws of South Carolina, Vol. II, 1932, in reference to the appointment of school trustees and their powers' approved May 16, 1933, known as Act No. 304 of the Acts of 1937", by striking therefrom that portion relating to reemployment of teachers in the various schools.
360. An Act to amend Section 55, Code of Laws of 1932, by striking out the paragraph headed "Richland County", so as to change the time for the holding of such Courts in Richland County.

361. An Act to amend Section 2 of an Act entitled "An Act to provide for a tax collector for York County", known as Act No. 144, of the Acts of 1933, and to amend Section 4, as amended in Section 1 of an Act known as No. 795, of the Acts of 1934, so as to further provide for the fees and commission of the tax collector and the lien thereof, and fees of the County Treasurer.
362. An Act to provide for the terracing of certain lands in Union County and to provide for the liquidation of the cost of the same.
363. An Act to regulate the catching of non-game fish in Union County.
364. An Act to amend Section 4 of an Act entitled "An Act to create the office of tax collector in Orangeburg County," etc., approved 13th day of April, 1932, as amended by an Act entitled "An Act to amend Section 4 of an Act entitled 'An Act to create the office of tax collector in Orangeburg County,'" etc., approved the 30th day of May, 1936, so as to reduce the rate of interest to be collected on delinquent taxes in Orangeburg County and to provide a way for taxpayers to definitely terminate tax liabilities where the amount due has been rendered doubtful or uncertain by judicial decisions."
365. An Act to provide for the election of school trustees in New Port School District No. 36 of York County and fix their term of office.
366. An Act to authorize the tax collector of Orangeburg County to sell lands owned by the county on account of failure of the owners to pay taxes thereon.
367. An Act to declare a closed season for fishing in the back waters of the Catawba and Wateree Rivers in Fairfield, Chester and Lancaster Counties for a period of two years, except with rod and reel, hook and line and split wood basket and to provide a penalty for the violation thereof, and to regulate fishing in the waters of Edgefield County.
368. An Act to authorize the County Auditor to levy a tax of two (2) mills upon all the taxable property in York County for the purpose of supplementing teachers' salaries and paying operating expenses of schools in said county; to provide for the paying out of funds derived from said levy upon a *pro rata* basis and to allow school districts, in certain cases to reduce their tax levy by two (2) mills.
369. An Act to amend Section I of an Act entitled "An Act to prohibit all seining of fish in Greenville, Anderson, Pickens and Oconee Counties," known as Act No. 254 of the Acts of 1933, so as to include Spartanburg County.
370. An Act to determine the open season on male wild turkeys and declare a closed season on female wild turkeys.
371. An Act to provide for the election of school trustees for Cartersville School District No. 38 in Florence County.
372. An Act to exempt from certain taxes the property of the board of trustees of Chicora College in the City of Columbia, County of Richland, State of South Carolina.
373. An Act to amend Section 33 of an Act entitled, "An Act to restrict and limit the use of highways by drivers and pedestrians; to regulate traffic on highways; to define certain crimes in the use and operation of vehicles; to require uniform and safe driving practices; to require compulsory accident reports; and to provide for enforcement of this Act and penalties for violations", approved the 16th day of April, 1937, so as to change certain penalties.

374. An Act to amend Section 21 of an Act, entitled "An Act providing for the regulation of aeronautics within this State; providing for uniformity with federal laws regulating aeronautics; creating a State Aeronautics Commission; providing the powers and duties of such Commission; providing for the promulgation and issuance of rules and regulations by such Commission and to provide penalties for the violation of the provisions thereof", known as the uniform State aeronautics regulatory Act, being No. 317 of the Acts of 1935, so as to further provide for the disposition of license fees and gasoline taxes collected thereon.
375. An Act to repeal an Act entitled "An Act to create the County Board of Commissioners of Greenville County, to name its personnel, to provide for the election of their successors, to define its duties and powers, etc.," known as Act No. 892 of the Acts of 1936; and to create the County Board of Commissioners of Greenville County; to provide for the election of said Commissioners and their successors; and to define their powers and duties.
376. An Act to provide for the collection of delinquent taxes in Chesterfield County in five annual installments; to extend the duration of the lien of such taxes; to provide that the lien of said taxes shall attach to the proceeds of loss under the fire insurance policies; to provide for the separate payment of the poll tax; to create the office of deputy tax collector for Chesterfield County and prescribe his duties and fix his salary; to provide that the costs, fees, expenses, mileage and other charges for the collection of delinquent taxes shall be paid into the ordinary fund of Chesterfield County; to provide for the redemption of property from tax sales; to stay the execution and delivery of tax deeds; and to further regulate the enforcement and collection of delinquent taxes in Chesterfield County.
377. An Act to provide for the appointment and commissioning of persons to positions created by statute, in all counties of this State having a population under the United States census of 1930, of between 117,000 and 101,060, where by the statute the duty is placed upon the Governor to appoint such persons to any position so created upon the recommendation of a certain number or proportion of the County Legislative Delegation or of the House Delegation and the Senator from such county as may be required by law, and where the Governor fails or has failed to make such appointment in compliance with such statute within ten days from the date of the filing thereof in his office.
378. An Act to amend Subdivision (c), Section 2558, Code of Laws of South Carolina, 1932, relating to license taxes upon hydro-electric power, as amended by Act No. 203 of the Acts of the General Assembly of South Carolina, 1935, entitled "An Act to amend Section 2558," etc., approved April 27, 1935, so that the provisions of said Section 2558 and Sections 2559, 2560, 2561, 2562, 2563 and 2564 of said Code relating to the collection and disposition of such tax, shall not apply to any person, firm or corporation owning or operating a hydro-electric generating plant or steam plant furnishing power to an industrial corporation, which industrial corporation owns all of the capital stock of the corporation owning and operating such generating plant.
379. An Act to authorize and empower the County Board of Education of Williamsburg County to refinance any school district bond issue or issues of Williamsburg County.
380. An Act to authorize the Public Works Administration of the Federal Government to construct and equip a junior college in Union County by Federal grant and pledge of tuition fees without cost to taxpayers of Union County.
381. An Act to amend Act 610 of the Acts of 1935, entitled "An Act to provide a system of workmen's compensation in the State of South Carolina, and to further provide for securing the payment of such compensation" by making further provisions in reference to exemptions, classifications, compensation, in raising the funds for the carrying out of said Act.

382. An Act to amend Act No. 406 of the Acts of the General Assembly for the year 1933, as amended by Act No. 329 of the Acts of the General Assembly for the year 1935, in Sections 1 and 2 thereof so as to provide for an eight (8) months State supported school term and to provide a graduated scale of salaries for teachers in the public schools of the State, and to fix the allowance of State aid for supervision and/or incidentals at five (5%) per cent.
667. An Act to provide for the reemployment of teachers in the various schools of this State unless they are notified to the contrary.

Part II—Local and Temporary

383. An Act to make appropriations to meet the ordinary expenses of the State Government for the fiscal year beginning July 1, 1937, to provide a tax sufficient to defray the same, for borrowing money and regulating the fiscal affairs of the State.
384. An Act to amend an Act entitled "An Act to Make Appropriations to Meet the Ordinary Expenses of State Government for the Fiscal Year Beginning July 1, 1936, to Provide a Tax Sufficient to Defray the Same, for Borrowing Money, to Repeal Section 2700, Code of Laws, 1932, Relating to the Salaries of County Auditors and Treasurers and Regulating the Fiscal Affairs of the State", being Act No. 985 of the Acts of 1936, the General Appropriation Act for the fiscal year 1936-37, so as to provide additional appropriations for the year 1936-37.
385. An Act to provide for the levy of taxes for school and county purposes, for the fiscal year beginning January 1, 1937, for Abbeville County and direct the expenditure thereof, and otherwise relating to the fiscal affairs of Abbeville County.
386. An Act to provide for the holding of an election in Abbeville County, South Carolina, on the question of issuing not exceeding Fifty Thousand (\$50,000.00) Dollars in coupon bonds for the building of a county jail; for the issuance and sale of said bonds; for the expenditure of the proceeds of sale; for the payment of the principal and interest of said bonds; to provide for a jail commission, and to define its powers and duties.
387. An Act to authorize Sharon school district No. 20, Abbeville County, South Carolina, to borrow an amount not exceeding One Thousand (\$1,000.00) Dollars, for the purpose of purchasing a lot and erecting a dwelling thereon for its superintendent, and to provide for the payment of same.
388. An Act to authorize and empower the City of Abbeville, Abbeville, South Carolina, to issue Twenty-five Thousand (\$25,000.00) Dollars City of Abbeville bonds, the proceeds thereof to be used for the purpose of purchasing a site and improving and erecting buildings thereon to be used as a manufacturing plant under the terms of an agreement entered into between City of Abbeville and Shepard Saltzman, and to provide for an election on said issuance, and the levy and collection of taxes for the payment of said bonds.
389. An Act to validate loan of Seven Hundred (\$700.00) Dollars made to Lowndesville School District No. 3 Abbeville County, by the Sinking Fund Commission of South Carolina and to fix a tax levy to provide for the payment thereof.
390. An Act to provide for the levy of taxes for ordinary county and school purposes for Aiken County for the fiscal year beginning January 1, 1937, and for the amounts and purposes herein set forth or so much as may be necessary, and for the expenditure thereof, and to provide for the borrowing of money and the repayment of same and for certain tax abatements, and to fix the fees of the clerk of court for recording crop and chattel mortgages creating lien under Acts of Congress or executive proclamations.

391. An Act to authorize and empower Salley School District No. 47 of Aiken County to issue not exceeding Ten Thousand (\$10,000.00) Dollars in bonds for the purpose of building an auditorium and providing additional school building facilities in said district.
392. An Act to authorize and empower Jackson School District No. 52 of Aiken County to issue not exceeding Six Thousand (\$6,000.00) Dollars in bonds for the purpose of building a school house in said district.
393. An Act to authorize and empower North Augusta School District No. 66, of Aiken County to issue not exceeding Twenty-five Thousand (\$25,000.00) Dollars in bonds for the purpose of building, equipping and providing additional school building facilities in said district.
394. An Act to authorize Gregg School District No. 22 in Aiken County to borrow not exceeding Ten Thousand (\$10,000.00) Dollars for the purpose of constructing and equipping a school building at Vaulcluse; to authorize the execution of notes evidencing the debt created thereby, and the levy of a tax sufficient to pay the same at maturity.
395. An Act to provide for the construction of certain state highways in Aiken County pursuant to the reimbursement agreement between the State Highway Commission and Aiken County; to authorize the making of such an agreement and the issuance of Aiken County bonds for said purposes, and to provide for the payment of said bonds.
396. An Act authorizing the Master of Aiken County to invest certain funds held by him as Master in certain bonds.
397. An Act to provide for the levy of taxes for Allendale County for school and county purposes for the year 1937; to provide for the expenditure thereof; to prescribe the amount of fees and expenses of certain county officials and the disposition of revenues to be derived from current levies, contemplated revenues, forfeited lands, and delinquent tax executions; and to authorize the pledging of revenues to be realized from delinquent tax executions, gasoline taxes and liquor revenues.
398. An Act to provide for expenses on behalf of Anderson County for the first six months of 1937; to authorize Anderson County to borrow sums of money to be used in the payment of part of such expenss and issue a note or notes as evidence thereof; to provide for the levying of taxes, the proceeds of which are to be used in the payment of such note or notes and interest thereon; and to provide for the disposition of certain funds of said county.
399. An Act to provide for the levy of taxes for the calendar year, 1937, in Anderson County for county and school purposes for the fiscal year beginning July 1, 1937, and ending June 30, 1938; to direct the expenditure thereof and to fix salaries.
400. An Act to authorize School District No. 8 of Anderson County, the State of South Carolina, to issue and sell bonds in the amount of not exceeding Seven Thousand Eight Hundred (\$7,800.00) Dollars to finance the cost of the construction of a school building and improvements to an existing school building, including the necessary equipment therefor, and to provide for the payment of said bonds and interest thereon.
401. An Act to authorize School District No. 8 of Anderson County, the State of South Carolina to issue and sell bonds in the amount of not exceeding \$7,800.00 to finance the cost of the construction of a school building and improvements to an existing school building, including the necessary equipment therefor, and to provide for the payment of said bonds and interest thereon.

402. A Joint Resolution providing for a referendum in Anderson County upon the question of the erection of a new court house for said county and to direct the Democratic Executive Committee to conduct said referendum.
403. An Act to ratify, confirm and validate School District No. 8 of Anderson County, State of South Carolina, as a school district.
404. An Act to validate and declare legal an election held in the Town of Honea Path, Anderson County, South Carolina, on the 24th day of September, 1935 authorizing the issuance by said Town of Honea Path of its bonds in the sum of \$15,097.00, the proceeds thereof to be used for the purpose of surface treating certain streets in the town of Honea Path.
405. An Act to validate and declare legal an election held in the Town of Honea Path, Anderson County, South Carolina, on the 24th day of September, 1935, authorizing the issuance by said Town of Honea Path of its bonds in the sum of \$17,707.00, the proceeds of said bonds to be used for the purpose of installing an addition to the sewerage system in the Town of Honea Path.
406. An Act to create a Court House Building Commission for Anderson County; to provide for the appointment of the members thereof and prescribe their terms of office; and to provide for the filling of vacancies on said commission; to authorize said commission on behalf of said county to demolish the present court house and erect a new court house upon receipt of certain gifts or grants; to define the powers and duties of said commission; to provide for the payment of erection of such court house and the equipment of same from funds received from the issuance and sale of bonds, grants and gifts; to authorize the issuance of serial coupon bonds of said county and to provide for the payment thereof and interest on same, and upon certain contingencies to suspend certain powers and authorities of the supervisor and the board of finance of said county, under Act No. 1010 of the Acts of the General Assembly of South Carolina, 1936, relative to the repair of the Anderson County court house; to provide for the application of Federal grants in aid of carrying out the purposes thereof; and to provide for the appointment of attorneys to represent said commission.
407. An Act to amend an Act entitled "An Act to Create a Court House Building Commission for Anderson County; to Provide for the Appointment of the Members Thereof and Prescribe Their Terms of Office; and to Provide for the Filling of Vacancies on Said Commission; to Authorize Said Commission on Behalf of Said County to Demolish the Present Court House and Erect a New Court House Upon Receipt of Certain Gifts or Grants; to Define the Powers and Duties of Said Commission; to Provide for the Payment of Erection of Such Court House and the Equipping of Same From Funds Received From the Issuance and Sale of Bonds, Grants and Gifts; to Authorize the Issuance of Serial Coupon Bonds of Said County and to Provide for the Payment Thereof and Interest on Same, and Upon Certain Contingencies to Suspend Certain Powers and Authorities of the Supervisor and the Board of Finance of Said County, Under Act No. 1010 of the Acts of the General Assembly of South Carolina, 1936, Relative to the Repair of the Anderson County Court House; to Provide for the Application of Federal Grants in Aid of Carrying out the Purposes Thereof; and to Provide for the Appointment of Attorneys to Represent Said Commission" of the Acts of the General Assembly of South Carolina, 1937, approved April 17, 1937, so as to further provide for the abolishment of the commission created therein and to put into effect provisions of Act No. 1010 of the Acts of the General Assembly of South Carolina, 1936, relative to the repair of the Anderson County court house, approved June 3, 1936.
408. An Act to provide for the levy of taxes for county purposes for Bamberg County for the fiscal year beginning January 1, 1937, and the expenditure thereof.
409. An Act authorizing the County Commissioners of Bamberg County to use certain funds in supplementing federal aid for the construction and repair of the county jail.

410. An Act to authorize and direct the County Board of Commissioners of Bamberg County upon the written consent of the legislative delegation to use available funds to supplement certain funds in constructing and repairing the county jail.
411. An Act to declare a closed season for hunting deer in Bamberg County until January 1, 1942, and to provide penalties for the violation hereof.
412. An Act to provide for the levy of taxes in Bamberg County and for use of the proceeds on outstanding school indebtedness of the county along with other income of the County Board of Education.
413. An Act to authorize and direct the trustees of Ehrhardt School District Number 22, in Bamberg County, to issue bonds in the sum of ten thousand five hundred dollars for the purpose of refunding other bonds of said district and to provide for the payment thereof at maturity.
414. An Act to authorize and direct the trustees of Olar School District Number 8, in Bamberg County, to issue bonds in the sum of twenty-one thousand dollars for the purpose of refunding other bonds of said district and to provide for the payment thereof at maturity.
415. An Act to provide for the levy of taxes for ordinary county purposes of Barnwell County for the fiscal year beginning July 1, 1937, and ending June 30, 1938, and for the expenditure thereof.
416. An Act to authorize the Board of County Managers of Barnwell County to borrow the sum of not exceeding Five Thousand (\$5,000.00) Dollars for the purpose of paying obligations incurred in the purchase of road machinery for use on the highways of Barnwell County, South Carolina, and to authorize said County Board of Managers to purchase certain tract of land or lands for a way-side camp to be established by the Federal or State Government, and to provide for the borrowing of not exceeding Three Thousand (\$3,000.00) Dollars for this purpose; and to provide for the repayment of the same.
417. A Joint Resolution providing for the necessary expenditures of Beaufort County for the first six months of the year 1937.
418. An Act to provide for the levy of taxes for county, school and other purposes, for the year 1937-1938 and direct the expenditure thereof in Beaufort County.
419. An Act to amend Act No. 1026, of the Acts of the General Assembly of South Carolina 1936, approved April 18, 1936, to authorize the trustees of Hardeeville School District No. 10, of Beaufort and Jasper Counties to borrow certain monies.
420. A Joint Resolution to authorize the City Council of Beaufort, South Carolina, to convey to and execute deed to the Executive Committee of the Beaufort Community Club.
421. An Act to empower Beaufort County board of directors to sell certain property.
422. An Act to authorize and empower the County Board of Directors of Beaufort County to issue and sell serial coupon bonds of St. Helena Township in the sum of Twenty-five Thousand (\$25,000.00) Dollars for the construction and building of roads in said St. Helena Township; and to provide for the payment of same.
423. An Act to authorize and empower the County Board of Directors of Beaufort County to issue and sell serial coupon bonds of Bluffton Townships in the Sum of Thirty-five Thousand (\$35,000.00) Dollars for the construction and building of roads in said Bluffton Townships; and to provide for the payment of same.

424. An Act to authorize and empower the County Board of Directors of Beaufort County to issue and sell serial coupon bonds of Beaufort Township in the sum of Twenty-five Thousand (\$25,000.00) Dollars for the construction and building of roads in said Beaufort Township; and to provide for the payment of same.
425. An Act to authorize and empower the County Board of Directors of Beaufort County to issue and sell serial coupon bonds of Sheldon Township in the sum of Twenty-five Thousand (\$25,000.00) Dollars for the construction and building of roads in said Sheldon Township; and to provide for the payment of same.
426. An Act to amend Act No. 381 of the Acts of the General Assembly of the State of South Carolina of 1935.
427. An Act to provide for the levy of taxes for Berkeley County for the fiscal year beginning July 1, 1937, and to direct the expenditure thereof, and relating to other purposes and county matters of Berkeley County.
428. An Act to authorize the Board of Trustees of St. Stephens High School, in Berkeley County, to borrow the sum of One Thousand (\$1,000.00) Dollars, to be used on the J. K. Gourdin colored school house in Berkeley County, and to provide for the repayment thereof.
429. An Act to provide for the levy of taxes for ordinary county and school purposes for the year 1937 for Calhoun County, and for the expenditure thereof.
430. An Act to authorize and empower the County Board of Commissioners of Calhoun County to borrow a sum not exceeding Three Thousand (\$3,000.00) Dollars for the erection of an agricultural building and to provide for the payment of same.
431. An Act to empower the County Board of Commissioners of Calhoun County to borrow the sum of Fifteen Hundred (\$1500.00) Dollars for the purpose of making additions and repairs to the county jail and to provide a levy for the payment of the same, and to authorize the said board to secure such grant from the Federal Government or any agency thereof as may be available for such purposes.
432. An Act to authorize and empower the trustees of school district No. 8 in Calhoun County to borrow a sum not exceeding Fifteen Thousand (\$15,000.00) Dollars for the erection of a gymnasium and work shop in said district, and to provide for the payment of the same.
433. An Act to authorize and direct the trustees of Joint School District No. 52 of Calhoun and Lexington Counties to borrow a sum not exceeding Eight Hundred Fifty (\$850.00) Dollars for the purpose of paying outstanding obligations of said districts and to provide for the payment of same.
434. An Act to amend Section 2 of an Act entitled "An Act to Authorize and Direct the Trustees of Joint School District No. 52 of Calhoun and Lexington Counties to Borrow a Sum Not Exceeding Eight Hundred Fifty (\$850.00) Dollars for the Purpose of Paying Outstanding Obligations of Said Districts and to Provide for the Payment of Same", of the Acts of the General Assembly of the State of South Carolina for the year 1937, so as to increase the term of maturity of notes.
435. An Act to provide for the levy of taxes for Charleston County for the fiscal year beginning July 1, 1937, and ending June 30, 1938, for school, county and other purposes and to direct the expenditure thereof, and relating to other county matters of Charleston County.
436. An Act granting rights of way for pipe and power lines along Cogsrove Avenue, Charleston County.

437. An Act to authorize the treasurer of Charleston County, S. C., to borrow not exceeding \$100,000.00 on short term notes, for certain general purposes, and to provide for the issuance of said notes from time to time and to levy taxes for their payments.
438. An Act to amend Act No. 1038 of the Acts of 1936, entitled "An Act to Provide for the Levy of Taxes for Charleston County for the Fiscal Year Beginning July 1, 1936, and Ending June 30, 1937, for School, County and Other Purposes and to Direct the Expenditure Thereof, and Relating to Other County Matters of Charleston County", approved 28th, 1936, by making further provisions with reference to the payments of the salaries and compensation therein fixed and appropriated, and the persons to whom payable, and the fixing of salaries and compensation in the event of changes or vacancies.
439. An Act to authorize and empower School District No. 20 of Charleston County, the State of South Carolina, otherwise known as City Board of Public School Commissioners for the City of Charleston, South Carolina, to donate, assign, transfer and convey its property at the northwest corner of Meeting and George Streets, in the City of Charleston, South Carolina, to the city council of Charleston.
440. An Act to authorize the trustees of School District No. 1 of Charleston County at McClellanville to borrow or issue bonds not exceeding Seven Thousand (\$7,000.00) Dollars to supplement funds provided by the Federal Government or some agency thereof for the construction and equipment of a combination auditorium and gymnasium for said school district.
441. An Act to authorize for the school year 1937-1938 the extension, without advertisement or rebidding, of existing transportation contracts in school districts in Charleston County.
442. An Act to amend Act No. 1046 of the Acts of 1936, entitled "An Act to Provide for the Creation and Establishment of a Sewer District in Charleston County to be Known as St. Phillips and St. Michaels Public Service District," etc., so as to authorize the expenditure of the funds of said district for the purposes of said Act without restriction upon the use of such funds for any particular purpose.
443. An Act to authorize the relocation of a portion of Kraft Avenue in Buckfield in the Parish of St. Phillips and St. Michaels by the Sanitary and Drainage Commission of Charleston County and to authorize the acceptance by said sanitary and drainage commission of the land necessary therefor, and the closing of the abandoned portion.
444. An Act to authorize the issuance by Charleston County, South Carolina, of bonds, the proceeds thereof to be used for certain general purposes and to provide for a tax to pay the principal and interest of said bonds.
445. An Act to authorize the City Council of Charleston, South Carolina, to issue water works refunding bonds to refund certain outstanding water works bonds of the City of Charleston, and to provide for a tax and to pledge the net revenues from the operation of the water works plant to pay the principal and interest of said bonds.
446. An Act to amend Act No. 1046 of the Acts of 1936, entitled "An Act to Provide for the Creation and Establishment of a Sewer District in Charleston County to be Known as St. Phillips and St. Michaels Public Service District", etc., so as to make provision for compensation of members of the commission therein created.
447. A Joint Resolution to exempt admissions to the Charleston Azalea Festival for the year 1937 from taxation.
448. An Act to authorize E. Bates Wilson, or his assigns, to build a wharf at the foot of the Rockville road, extending into Bohicket River, Wadmalaw Island, South Carolina.

449. An Act to alter the lines of School District No. 10 and School District No. 4 in Charleston County so as to add to the latter that portion of the former lying east of the Ashley River.
450. An Act to authorize and empower St. Phillips and St. Michaels Public Service District Commission to construct a fire station, office and firemen's hall in said district, and in order to meet the cost thereof to borrow not exceeding \$5,000.00, and to provide for a tax levy for the payment thereof.
451. An Act to provide for the levy of taxes for school and county purposes for the year 1937, and to direct the expenditure thereof for Cherokee County.
452. An Act to amend an Act entitled "An Act to Provide for the Levy of Taxes for School and County Purposes for the Year 1937, and to Direct the Expenditure Thereof for Cherokee County", so as to strike therefrom an appropriation for H. M. Brown.
453. An Act to authorize the Board of Public Works of the City of Gaffney to satisfy and surrender to the City of Gaffney certain notes, to cancel an open account representing funds advanced to said city, to validate said transactions, and to relieve the Cherokee County Sinking Fund Commission from any duty to demand such funds.
454. An Act to authorize the Board of County Commissioners to borrow the sum of thirty-seven thousand, eight hundred and nineteen dollars, for the purpose of paying obligations incurred in the purchase of road machinery, tractors, trucks, scrapes, etc., for use on the highways of Cherokee County, S. C.
455. An Act to provide for the payment of back salaries to certain officers of Cherokee County.
456. An Act to provide for the refunding the bonded indebtedness including accrued interest and the cost of such refunding, of the Town of Blacksburg, and to authorize the securing of refunding bonds by pledge of waterworks revenues, taxes, or other security, and to provide for the levy of taxes to pay the same.
457. An Act to amend an Act approved April 17, 1937, relating to the refunding of the bonded indebtedness of the Town of Blacksburg by enlarging the powers of the municipality with respect to the security that may be pledged.
458. An Act to provide for the levy of taxes for Chester County for the year 1937, and to direct the expenditures thereof for ordinary county purposes; to provide for the appointment of a hospital board and to prescribe the duties thereof; to increase the salaries of the members of the County Board of Directors, Magistrates and Coroner and for other purposes relative to the fiscal affairs of Chester County.
459. An Act to appropriate certain monies now on hand in Chester County for county purposes for the year 1937; to increase the salary of the magistrate's constable in Baton Rouge Township, and prescribe his additional duties; and to waive certain road taxes, and to reduce the salary of magistrate's constable in Magisterial District No. 2, and to abolish some of his duties and authority.
460. A Joint Resolution to exempt certain citizens and farmers of Chester County, South Carolina, who suffered damage by reason of drought in 1936, from the payment of taxes for ordinary county purposes.
461. An Act to authorize Richburg School District No. 19 in Chester County, State of South Carolina, to issue bonds in an amount not exceeding Twelve Thousand (\$12,000.00) Dollars, to be exchanged for outstanding bonds of said district.

462. A Joint Resolution directing the Clerk of Court of Chester County to deliver to the Chester free library a book called "A View of the Conduct of the Executive of the United States, 1794-1796."
463. An Act to validate the actions of A. N. Kirkpatrick, tax collector for Chester County, from January 1, 1936, to December 1, 1936, and from January 1, 1937, to January 26, 1937, in so far as such actions relate to the title of realty in Chester County.
464. An Act to provide for the levy of taxes for ordinary and other county purposes for the fiscal year beginning July 1, 1937, and ending June 30, 1938; to appropriate monies for the operation of the county government for Chesterfield County during the said fiscal year and to further regulate the administration of the county government of Chesterfield County.
465. An Act to provide for refunding the bonded indebtedness, including accrued interest and the cost of such refunding, of the Town of Chesterfield and to authorize the securing of refunding bonds by pledge of waterworks revenues, taxes, or other security, and to provide for the levy of taxes to pay the same.
466. An Act to amend an Act approved April 1, 1937, entitled "An Act to Provide for Refunding the Bonded Indebtedness, Including Accrued Interest and the Cost of Such Refunding, of the Town of Chesterfield and to Authorize the Securing of Refunding Bonds by Pledge of Waterworks Revenues, Taxes, or Other Security, and to Provide for the Levy of Taxes to Pay the Same", so as to provide that refunding bonds may also be secured by a specific lien on the revenues of the waterworks plant of the municipality.
467. An Act to provide for the levy of taxes for ordinary county and road purposes for Clarendon County for the year beginning January 1, 1937; to provide for the expenditure of such taxes and of the other county revenues collected during the fiscal year ending June 30, 1938; to authorize the officers of the said county to borrow money in anticipation of collection of county and school district taxes for the year 1937 and previous years; and otherwise relating to the fiscal affairs of said county, including the fixing of salaries of county officers.
468. An Act to authorize and empower the trustees of Summerton School District No. 22 and County Treasurer of Clarendon County to borrow a sum of money not exceeding Six Thousand (\$6,000.00) Dollars and to provide for the levy of a tax to retire said loan.
469. An Act to repeal an Act entitled "An Act to Authorize and Empower the Trustees of Summerton School District No. 22 and County Treasurer of Clarendon County to Borrow a Sum of Money Not Exceeding Six Thousand (\$6,000.00) Dollars and to Provide for the Levy of a Tax to Retire Said Loan", approved May 15, 1937, and to authorize and empower the trustees of Summerton School District No. 22 and the County Treasurer of Clarendon County to borrow a sum of money not exceeding Six Thousand (\$6,000.00) Dollars and to provide for the repayment of the principal thereof and the interest thereon by the setting aside of Six (6) mills of the present school district tax of said district and the application of the proceeds of the collection thereof to the payment of said principal and interest until the same be paid in full.
470. An Act to provide for the refund and/or abatement of 1936 ordinary county taxes of taxpayers who suffered certain loss by reason of the hail storm in the Salem section of Clarendon County in 1936.
471. An Act to provide for the levy of taxes for county purposes for the County of Colleton for the year beginning January 1, 1937, and for the expenditure thereof; and otherwise regulate the fiscal affairs of said county; and to extend the provisions of Act No. 867 of the Acts of the General Assembly of 1932, and providing for the possible increase of reduction of the tax levied thereby authorized.

472. An Act to amend an Act entitled "An Act to Authorize the County Supervisor and County Treasurer of Colleton County to Issue and Sell Bonds of Said County for the Improvement of the Colleton County Courthouse and Jail and to Provide for the Payment of Said Bonds with Interest," approved 27 March, 1936, being Act No. 1084 of the Acts of 1936, so as to increase the amount of said bonds, and to provide for a new jail, and for equipping said buildings and to provide for the payment of the expenses of the sale of said bonds.
473. An Act to amend Act No. 1084 of the Acts of 1936, approved the 27th day of March, 1936, as amended by an Act approved the 12th day of February, 1937, relating to court house improvement bonds and jail improvement bonds of Colleton County, by providing for the issuance of further bonds for the purpose of procuring funds for further improving and equipping the said Colleton County court house and Colleton County jail.
474. An Act to validate, confirm and provide for the payment of certain notes issued by the County Board of Education for Colleton County and by Walterboro School District No. 19 of said county.
475. An Act to provide for the levy of taxes in Darlington County for county purposes for twelve (12) months from July 1st, 1937, to June 30, 1938, and for the expenditure thereof; and to authorize the Board of Directors of Darlington County to borrow for ordinary county purposes, and to direct the expenditures thereof; and to make certain provisions with respect to the conduct of the county government of the said county.
476. An Act to empower the County Board of Directors of Darlington County to borrow not exceeding Twenty Thousand (\$20,000.00) Dollars with which to purchase road machinery and equipment for use upon the roads of said county.
477. An Act to validate loan of Four Thousand, One Hundred Fifty (\$4,150.00) Dollars made to Darlington County Board of Education by the Sinking Fund Commission of South Carolina and to fix a tax levy to provide for the payment thereof.
478. An Act to authorize and empower the trustees of Society Hill School District No. 13, of Darlington County, South Carolina, to borrow a sum of money not exceeding Six Thousand (\$6,000.00) Dollars, for the purpose of erecting and equipping additional class rooms to be added to the existing school buildings for white pupils in the said school district, to provide for the issuance of notes therefor and the levy and collection of taxes for the payment of said loan, with interest.
479. An Act to validate loan of Four Hundred (\$400.00) Dollars, made to Newman Swamp School District No. 4, of Darlington County, by the Peoples Bank of Hartsville, S. C., and to provide for a tax levy for the payment thereof.
480. A Joint Resolution to refund to certain taxpayers in Darlington County excess taxes paid for county purposes.
481. A Joint Resolution directing the Clerk to the County Board of Directors of Darlington County to issue vouchers in payment of open accounts and notes, and authorizing the County Treasurer of Darlington County to pay said vouchers.
482. An Act to ratify and confirm the election held in and by Hartsville School District No. 32, of Darlington County, on June 1, 1936, on the question of the issuance of bonds of said school district in an amount not exceeding Sixty Thousand (\$60,000.00) Dollars, for the purpose of erecting buildings, and equipment for maintaining public schools in said districts; and to validate and confirm in every respect all proceedings had in connection with the issuance and sale of the said bonds, and to validate said bonds.

483. An Act to provide for the levy of taxes for county and school purposes for the County of Dillon for the fiscal year beginning January 1, 1937, and for the expenditure thereof.
484. An Act to provide for the acquisition by Dillon County of a site in the Town of Dillon for the erection of a building for public purposes.
485. An Act to authorize the expenditure of not in excess of One Thousand (\$1,000.00) Dollars by the County Commissioners of Dillon County in the erection of a building by the American Legion Post of Dillon County.
486. An Act to authorize and direct the County Superintendent of Education for Dillon County to advance to Floydale School District No. of Dillon County the sum of Eighty (\$80.00) Dollars from the general fund of the County Board of Education.
487. An Act to provide for the levy of taxes for Dorchester County for county and school purposes for the period beginning January 1, 1937, and ending June 30, 1937, and to direct the expenditure thereof.
488. An Act to amend Section 1 of Act No. 11 of the Acts of South Carolina, 1937, approved the 29th. day of January, 1937, entitled "An Act to Provide for the Levy of Taxes for Dorchester County for County and School Purposes for the Period Beginning January 1, 1937, and Ending June 30, 1937, and to Direct the Expenditure Thereof", so as to increase the appropriation for county directors and provide for the purchase of a site and construction and operation of a county marketing warehouse for Dorchester County.
489. An Act to provide for the levy of taxes for Dorchester County for county and school purposes for the fiscal year beginning July 1, 1937, and ending June 30, 1938, and to direct the expenditure thereof.
490. An Act to authorize and empower the Chairman of the County Board of Education of Dorchester County and the Board of Trustees of Knightsville School District No. 14, Dorchester County, to borrow Twelve Hundred (\$1,200.00) Dollars and to provide for the levy of a tax to retire the said loan.
491. An Act to abolish Sand Ridge School District No. 23 in Dorchester County and to place the territory embraced therein in other school districts in said county.
492. An Act to authorize and empower the chairman of the County Board of Education of Dorchester County and the Board of Trustees of Ridgeville School District No. 12, Dorchester County, to borrow Two Thousand (\$2,000.00) Dollars and to provide for the levy of a tax to retire the said loan.
493. An Act to amend Act No. 487 of the Acts of 1933, entitled "An Act to Authorize the Dorchester County Delegation, Together with the County Treasurer and Chairman of the Board of Directors, to Sell All or Any Part of the Bonds Now Owned or Held by Dorchester County, Which Said Bonds Had Been Pledged by Peoples State Bank of South Carolina as Security for Deposits of Dorchester County in Said Bank at the Time of its Closing, the Proceeds of Said Sale or Sales to be Applied Pro Rata to the Respective Purposes for Which the Funds Represented by Said Deposits Were Collected, with the Power to County Treasurer at Such Sale or Sales to Purchase Said Bonds for the Sinking Funds of Said County or School Districts or Other Political Subdivision of Said County for Which Sinking Funds are Being Created", approved March 10, 1933, so as to make provisions for the handling and expenditure of the excess amount of the proceeds of the sale of such pledged bonds, and to recall any applications of such excess amount heretofore made.
494. An Act to validate loan of Six Thousand Two Hundred Seventy (\$6,270.00) Dollars made to Dorchester County by the Sinking Fund Commission of South Carolina and to fix a tax levy to provide for the retirement thereof.

495. An Act to provide for the levy of taxes for school and county purposes for the year 1937 and to direct the expenditures thereof in Edgefield County; and to provide for and fix the fee of the clerk of court of said county for filing or recording certain instruments; to authorize the County Board of Education of said county to borrow money and to pledge certain school revenues for the payment thereof, and conferring additional powers on said board for the government of the schools in said county.
496. An Act to authorize and empower Trenton School District No. 27, in Edgefield County, South Carolina, to borrow not exceeding \$10,000.00 for school purposes of said district, and to provide taxes for the payment of same.
497. An Act to authorize and empower Johnston School District No. 11, in Edgefield County, South Carolina, to borrow not exceeding \$5,000.00 for school purposes of said district, and to provide taxes for the payment of same.
498. A Joint Resolution to direct the treasurer of Edgefield County to refund to Mrs. Ella F. Powell certain overpaid taxes.
499. An Act to authorize Elmwood School District No. 8, in Edgefield County to issue and sell or exchange serial coupon bonds for the purpose of funding the present outstanding bonds of the said district.
500. An Act to authorize and empower the Town of Johnston in Edgefield County, to borrow not exceeding Ten Thousand (\$10,000.00) Dollars for purposes of the town.
501. An Act to authorize the Town of Johnston, in the County of Edgefield, to borrow not exceeding Twenty Thousand (\$20,000.00) Dollars to purchase outstanding water and sewer bonds of said town and to pledge such bonds as collateral.
502. An Act to provide for the levy of taxes for ordinary county purposes and for support of county chain gang for Fairfield County for the period beginning January 1, 1937 and ending June 30, 1937, and for the expenditure thereof.
503. An Act to provide for the levy of taxes for ordinary county purposes and for support of county chain gang for Fairfield County for the fiscal year beginning July 1, 1937, and ending June 30, 1938, and for the expenditure thereof.
504. An Act to exempt certain taxpayers of Fairfield County, as hail sufferers, from ordinary county taxes for the year 1936, and to provide for the refund of such taxes.
505. An Act to validate a certain deed executed and delivered by the Trustees of School District No. 1, Fairfield County, to Jeff D. Boulware.
506. An Act to make appropriations for and to provide for the levy of taxes in Florence County for ordinary county purposes for the fiscal year 1937, and for the expenditure thereof.
507. An Act to provide for the levy of a tax for school purposes in Florence County, for the expenditures thereof, for borrowing money for school purposes; to require school trustees to prepare budgets of school expenses and to prohibit expenditures in excess of budgets.
508. An Act to authorize and empower the Trustees of Mars Bluff School District No. 4 in Florence County to borrow not exceeding the sum of Three Thousand (\$3,000.00) Dollars for the purpose of completing the school auditorium.

509. An Act to authorize the school trustees of Lake City School District No. 47, Florence County, to issue certificates evidencing the indebtedness due to the said Lake City School District No. 47, Florence County, for taxes due and unpaid by tax payers of the said Lake City School District No. 47, and to sell, hypothecate, or pledge said certificates and upon such sale, hypothecation or pledge to assign the same and in the name of Lake City School District No. 47, Florence County, to guarantee the payment thereof.
510. An Act to authorize and empower the trustees of Johnsonville School District No. 55, in Florence County to borrow not exceeding the sum of Two Thousand (\$2,000.00) Dollars for the purpose of retiring a note due the old First National Bank.
511. An Act to authorize and empower the trustees of Sardis School District No. 12 in Florence County to borrow not exceeding the sum of Twenty-Five Hundred (\$2500.00) Dollars for the purpose of building a superintendent's home and a two room colored school building and to provide for the payment of said loan and interest hereon.
512. A Joint Resolution authorizing, empowering and directing the Treasurer of Florence County to make off a shortage carried on the books against former Sheriff Burch.
513. An Act to provide for the levy of taxes for schools, roads and other county purposes in Georgetown County for the fiscal year beginning January 1, 1937, and for the expenditure thereof.
514. An Act to authorize the issuance of negotiable coupon bonds by Georgetown High School District, of Georgetown County to regulate the expenditure of the proceeds and to provide for the payment thereof.
515. An Act to provide for the levy of property taxes in Greenville County for county, school and road purposes, for the fiscal year beginning January 1, 1937, and ending December 31, 1937, and to appropriate the revenues therefrom and the income from all other available sources of county revenue and to direct and control the expenditure thereof.
516. An Act to create a committee to investigate and report upon the public activities of the public officers of Greenville County and of all matters directly or indirectly connected therewith; to confer authority, to subpoena witnesses; to take testimony and to provide for the expenses thereof.
517. An Act to authorize the trustees of Pepper School District No. 4-F of Greenville County to borrow a certain sum of money from the State Sinking Fund Commission to repair school building and to provide for the retirement of same.
518. An Act to provide for the borrowing of Fifty Thousand (\$50,000.00) Dollars by Greenville County and the issuance of a note or notes therefor, the proceeds of said loan to be used in making loans by said county upon certain terms and conditions to school districts in said county; to provide for the repayment of said loans by said school districts and the repayment of the loan made to said county; to set up a revolving fund for the purpose of making loans to the said school districts; to provide for an annual levy, the proceeds of which to be used in the payment of loan made to said county.
519. An Act to authorize and empower the County of Greenville to issue bonds or other evidences of indebtedness in the sum not exceeding Three Hundred Fifty Thousand (\$350,000.00) Dollars and accrued interest, for the purpose of road construction and to empower certain officers to apply for, receive and expend in connection with the proceeds of said loan such sums as may be available from the Federal Government or any agency or department thereof and to provide for the retirement of such obligations.

520. An Act to refund to Cherry Investment Company, a corporation of South Carolina, the sum of One Hundred Thirty-four and 90/100 Dollars (\$134.90) county and school district taxes overpaid for the years 1931, 1932, and 1933 inclusive.
521. An Act to provide for an election on the questions of whether the aldermen of the City of Greenville, South Carolina, shall be elected by the qualified electors of the individual wards or by a popular vote of the city; and whether the city recorder shall be elected by a popular vote or by city council.
522. An Act to provide a bond issue for Parker School District No. 8-A, Greenville County, not exceeding Seventy Five Thousand (\$75,000.00) Dollars; for the expenditure thereof and for the levy of a tax for the retirement of said bonds.
523. An Act to provide for the levy of taxes in Greenwood County for county purposes from July 1, 1937, to June 30th, 1938, and for the expenditure thereof; and to authorize the Treasurer and Supervisor of Greenwood County to borrow for ordinary county purposes and to direct the expenditure thereof; to fix certain recording fees of the Clerk of Court; to further provide for additional tax collectors; and to adjust past due taxes; to provide for safe-guarding of securities placed with the Treasurer of Greenwood County; to provide for the refunding or cancellation of certain railroad bonds against Cooper, Cokesbury and Ninety-Six Townships; to provide for the cancellation of certain past indebtedness bonds; and to make certain provisions with respect to the conduct of the county government of said county.
524. An Act to provide for the construction of certain state highways in Greenwood County pursuant to the reimbursement agreement between the State Highway Commission and Greenwood County, to authorize the making of such agreement and the issuance of Greenwood County bonds for said purposes and to provide for the payment of said bonds.
525. An Act to authorize Greenwood County to issue bonds in an amount not to exceed Fifty-Five Thousand (\$55,000.00) Dollars for the construction of bridges or highways or improvements to highways in said county, and providing that said bonds shall be payable in the first instance from the gasoline tax accruing to said county from the State Highway Department and providing that the full faith, credit and taxing power of said county are pledged to the payment of the principal of and interest on the bonds.
526. An Act to provide that the fiscal year of the County of Hampton shall begin on July 1, and end on June 30 of each succeeding year; to provide for the levy of taxes in said county for county purposes for eighteen months from January 1, 1937, to June 30, 1938, and for the expenditure thereof.
527. A Joint Resolution to authorize the release and satisfaction of a judgment by Hampton County, in so far as certain judgment debtors are concerned, upon the payment of a certain amount.
528. An Act to provide for the construction of certain state highways in Hampton County pursuant to reimbursement agreement between the State Highway Commission and Hampton County; to authorize the making of such an agreement and the issuance of Hampton County bonds for said purposes, and to provide for the payment of said bonds.
529. An Act to provide for the operation of government of Horry County from July 1, 1937 to June 30, 1938. To levy taxes for county purposes, and to direct the expenditure of county funds during the said period.
530. An Act to authorize and empower Virgo School District No. 75, Horry County to borrow the sum of not exceeding Five Hundreded (\$500.00) Dollars and to provide for the payment thereof.

531. An Act to provide for the levy of taxes for county purposes for the County of Jasper for the fiscal year beginning January 1, 1937, and for the expenditure thereof.
532. An Act to authorize the purchase of land, the erection, construction and furnishing of an agricultural building in Jasper County at Ridgeland, and to provide an appropriation therefor and to provide for the supervision of said building and the expenditures.
533. An Act to provide for the levy of taxes in Kershaw County for county purposes for the year 1937 and to direct the expenditure thereof.
534. A Joint Resolution to authorize and direct the Treasurer of Kershaw County to make certain refunds to the First National Bank of Camden for taxes overpaid.
535. An Act to authorize the issuance by Kershaw County, South Carolina, of not exceeding thirty thousand dollars of bonds, the proceeds thereof to be used for the purpose of paying past indebtedness of said county and for the building and improvement of public roads in Kershaw County, all or any of said purposes, and to provide for the levy and collection of a tax to pay the principal and interest of said bonds.
536. An Act to validate an issue of twenty four thousand dollars of notes of Kershaw County, South Carolina, dated March 19th, 1937, and maturing March 19th, 1938.
537. An Act to provide for the levy of taxes for ordinary county and road purposes for the fiscal year, July 1, 1937, to July 1, 1938, and to provide for the expenditure thereof in the County of Lancaster.
538. An Act to authorize payment to R. B. Robinson, Sr., out of the general school fund of Lancaster County of the sum of Fifteen Hundred (\$1,500.00) Dollars.
539. A Joint Resolution to authorize the Treasurer of Lancaster County to refund to J. B. Byrd certain taxes erroneously paid in Lancaster County.
540. An Act to authorize and empower the County Treasurer of Lancaster County to pay, in advance of their maturities, certain outstanding obligations of said county.
541. An Act to authorize and direct the Treasurer of Lancaster County to pay unto Jeff Hunt Road Machinery Company the sum of four thousand and fourteen dollars for Lancaster Soil Conservation Association, and to provide for the repayment thereof.
542. An Act to authorize, empower and direct the board of County Commissioners of Lancaster County to issue certain warrants against the ordinary county funds; and to direct the treasurer of said county to pay same.
543. An Act to authorize the issuance by Lancaster County, South Carolina, of bonds in an amount not exceeding Three Hundred Thousand (\$300,000.00) Dollars, the proceeds thereof to be used for the improvement and construction of roads and bridges in Lancaster County, the purchase of machinery, equipment and materials necessary and incident thereto, all or any of said purposes, and to provide for a tax to pay the principal and interest of said bonds.
544. A Joint Resolution to authorize the Treasurer of Lancaster County to refund to J. B. Caston certain taxes erroneously paid in Lancaster County.
545. An Act to provide for the levy of taxes for school and county purposes for the year 1937 and to direct the expenditures thereof; to issue certificates of indebtedness and to provide for the payment of same; and to provide for the borrowing of money for Laurens County, and to provide authority for peace officers.

546. An Act to exempt certain taxpayers of Laurens County, as hail sufferers, from certain ordinary county taxes for the year 1936, and to provide for the refund or remittance of such taxes.
547. An Act to provide for the construction of a certain state highway in Laurens County pursuant to reimbursement agreement between the State Highway Commission and Laurens County; to authorize the making of such an agreement and the issuance of Laurens County bonds for said purposes, and to provide for the payment of said bonds.
548. A Joint Resolution to authorize and direct the Board of Trustees of Hunter School District #5 in Laurens County to turn over to the County Treasurer of Laurens County certain monies in the sinking fund of said school district to be made a part of the general funds of said school district.
549. An Act to authorize Laurens County, South Carolina, to issue coupon bonds in the aggregate amount of not exceeding one hundred and fifty thousand dollars for the purpose of building hard surface roads in said county and to provide for the payment thereof.
550. An Act to authorize and empower the County Board of Commissioners of Laurens County to borrow an amount not exceeding Eight Thousand (\$8,000.00) Dollars to be used for the purpose of erecting an agricultural building and providing for the payment of the same.
551. An Act to amend Act No. 205 of the Acts of the General Assembly, 1937, approved March 24, 1937, and entitled "An Act to Authorize and Empower the County Board of Commissioners of Laurens County to Borrow An Amount Not Exceeding Eight Thousand (\$8,000.00) Dollars to be Used for the Purpose of Erecting An Agricultural Building and Providing for the Payment of the Same" by striking out Section 2 of said Act and inserting in lieu thereof a new section to be known and designated as Section 2, providing that said loan shall mature within twelve (12) months from the date of said loan.
552. A Joint Resolution requiring the directors of the Laurens Business League to refund to the County Treasurer, of Laurens County, the unexpended balance of fund for advertising the sale of farm lands in Laurens County.
553. An Act to authorize Laurens County to issue bonds in the sum of not exceeding one hundred five thousand dollars for the purpose of paying past due indebtedness of said county, and to validate such indebtedness.
554. An Act to provide for the levy of taxes for county purposes for the County of Lee for the fiscal year beginning January 1, 1937, and for the expenditure thereof.
555. An Act to authorize and direct the issuance by Lee County, South Carolina, of bonds of Lee County in not exceeding Sixty Thousand (\$60,000.00) Dollars, the proceeds thereof to be used for the purpose of paying past indebtedness of said county and unpaid school claims of certain school districts in said county, to validate said past indebtedness and school claims, and to provide for the levy and collection of annual taxes for payment of principal and interest of said bonds.
556. An Act to exempt certain taxpayers of Lee County, as hail sufferers, from ordinary county taxes for the year 1936, and to provide for the refund of such taxes.
557. An Act to direct the Auditor of Lee County to levy annual taxes upon taxable property in certain school districts in Lee County, South Carolina, to reimburse Lee County for advances made to said school districts, and to provide for the application of said taxes when collected by the treasurer.
558. An Act to provide for a levy of taxes for Lexington County for the year 1937 and to direct the expenditure thereof.

559. An Act to amend Section 2 of an Act entitled "An Act to Provide for a Levy of Taxes for Lexington County for the Year 1937 and to Direct the Expenditure Thereof", approved February 25, 1937, so as to place further limitations around the expenditure of the appropriations and to clarify the provisions of said Act.
560. An Act to authorize and empower the Trustees of Samaria School District No. 60 of Lexington County to borrow a sum of money not exceeding Twelve Hundred (\$1,200.00) Dollars for the purpose of refinancing bonds of said school district now outstanding and to provide for the payment of same.
561. An Act to authorize the Town of Batesburg to issue refunding bonds and to refund certain outstanding obligations of the Town of Batesburg, and to provide for a tax to pay the principal and interest of said bonds, and to authorize said town upon certain contingency to sell said bonds or a part thereof.
562. An Act to create Lexington County agricultural soil conservation board, to authorize Lexington County Board of Commissioners to issue notes for the purpose of purchasing terracing equipment; to provide for the control and use of said equipment and to provide for the payment of notes authorized; and to provide method of expenditure of funds collected by the Lexington County Soil Conservation Board.
563. An Act to authorize and empower the Trustees of Chapin School District No. 66 in Lexington County to borrow a sum of money not exceeding Thirty-five Hundred (\$3,500.00) Dollars and to provide for the payment of said loan.
564. An Act to validate and confirm the Act of School District No. 1 of Lexington County, the State of South Carolina, in borrowing the sum of Seven Thousand (\$7,000.00) Dollars and to provide for the payment thereof.
565. An Act to authorize and direct A. D. Martin, attorney for Lexington County, to proceed to collect, by suit or otherwise funds deposited by a former Treasurer of Lexington County in certain banks now insolvent and to engage assistant counsel.
566. An Act to repeal an Act No. 1234 of the Acts of the General Assembly of South Carolina, 1936, approved April 30, 1936, and entitled, "An Act to Authorize and Direct the Treasurer of Lexington County to Take Certain Credits Off Her Books and to Transfer the Same to An Account to be Known as a Contingent Account Receivable."
567. An Act to authorize the Treasurer and County Board of Commissioners of Lexington County to borrow money to retire the past indebtedness and to provide a levy for payment of same, and to validate certain Acts of Lexington officials and to direct the disposition of a certain fund.
568. An Act to validate loan of One Thousand, Seven Hundred (\$1,700.00) Dollars made to Plum Branch School District No. 24, McCormick County, by the Sinking Fund Commission of South Carolina and to provide a tax levy for the payment thereof.
569. An Act to make appropriations for ordinary county purposes for Marion County for the fiscal year beginning January 1st, 1937; to provide for the expenditure thereof; to authorize the proper officers of the county to borrow money to meet such appropriations; and to provide for the levy of such taxes as may be necessary to raise the required amount, taking into account other revenues of the county.
570. An Act to authorize the County Board of Education of Marion County to make a loan to the Rains School District of said county of a sum not exceeding Two Thousand (\$2,000.00) Dollars.
571. An Act ratifying the sale of the poor house farm or tract by the County Commissioners of Marion County.

572. An Act to exempt certain land owners in School District No. 25, Reaves Township, Marion County, from county and school taxes in arrears to and including the year 1935.
573. An Act relating to the fiscal affairs of Marlboro County and the school districts thereof, to provide a levy of taxes for county purposes for the fiscal year commencing July 1, 1937, and for the expenditure thereof, to make provisions for the due payment of the existing indebtedness of Marlboro County, abolish the commutation road tax, and to provide for the reduction of special levies in the school districts of Marlboro County.
574. An Act to repeal an Act entitled "An Act to Authorize the Town of Clio, in Marlboro County, Upon a Petition of a Majority of its Freeholders and a Vote of a Majority of its Qualified Electors, to Vote at an Election Thereof to Issue Not More Than Seventy-one Thousand (\$71,000.00) Dollars in bonds; and to Provide for the Disposition of Funds Arising From the Sale of Said Bonds: and to Provide for the Retirement of all Outstanding Indebtedness of the Town of Clio", being Act No. 1253 of the Acts of 1936, and relating to the issuance or refund of bonds by the Town of Clio and other municipalities within this state.
575. An Act to authorize the Treasurer of Marlboro County to refund certain taxes erroneously paid on property of estate of H. L. B. McCall.
576. An Act to authorize and empower the County Commissioners of Marlboro County to issue bonds for the purpose of enlarging the Marlboro County General Hospital and further equipping the same; to provide for the retirement of said bonds and for an election on the question of their issue after conveyance of said hospital and agreement thereabout.
577. An Act to declare, determine, establish and fix the boundaries of the Town of Bennettsville, Marlboro County, South Carolina.
578. An Act to provide for the levy of taxes for Newberry County for the fiscal year beginning July 1, 1937, and ending June 30, 1938, and to provide for the expenditures thereof.
579. A Joint Resolution providing for the expenditures of Newberry County for the first six months of the year 1937.
580. An Act providing for the payment of 1935 taxes in Newberry County in installments under certain conditions.
581. A Joint Resolution to exempt certain drought sufferers in Newberry County from the payment of county and school district taxes for 1936, and to provide for refund of taxes paid.
582. A Joint Resolution authorizing, empowering and directing the Treasurer of Newberry County to refund the sum of One Hundred Thirty Seven and Ninety Four One Hundredths (\$137.94) Dollars, to S. P. McCrackin estate, which amount was erroneously paid by the S. P. McCrackin estate as taxes to the County of Newberry.
583. An Act to authorize and empower Silverstreet Consolidated High School District in Newberry County to borrow an amount not to exceed Twenty Thousand (\$20,000.00) Dollars to be used for the purpose of refinancing obligations of said district now evidenced by notes and bonds, and to provide for the repayment of same.
584. An Act to provide for the borrowing of Eight Hundred (\$800.00) Dollars by the school trustees of Richland School District No. 19 of Oconee County to be used in the erection, construction and equipment of a school building in said district: and to provide for the levying of taxes sufficient to pay the same.

585. An Act to provide for the operation of Orangeburg County and the welfare of its people, during the period July 1, 1937, to June 30, 1938; to direct county activities and to levy taxes for county purposes; to regulate expenditures of school and county funds during the said period; and to make certain violations of this Act a misdemeanor and provide punishment therefor.
586. An Act to order an election to decide whether Orangeburg County shall contribute to the Tri-County Hospital now under construction in the City of Orangeburg, for its equipment and other necessary purposes, and upon a favorable vote to provide for officers designated to borrow funds for such purposes and to provide for a tax levy to repay the same.
587. An Act to extend the term of office of the present Commissioners of Orangeburg County to July 1st of the Last Year of their term of office.
588. An Act to authorize and empower the Trustees of Holly Hill School District No. 8, Orangeburg County, to borrow the sum of Eight Thousand (\$8,000.00) Dollars, and to validate the whole, or any portion, of such amount as may have been obtained pursuant to previous legislative authority.
589. An Act to authorize and empower the Highway Commission of Orangeburg County to issue, in the name of the county bonds or notes for highway and other public improvement in an amount not exceeding Two Hundred Thousand (\$200,000.00) Dollars, upon certain conditions and to provide for the payment thereof.
590. An Act to order an election to decide whether West Elizabeth School District No. 34 of Orangeburg County may borrow money to provide for the construction of four additional class rooms, installation of toilets, and other necessary additions and repairs, and upon a favorable vote to authorize the borrowing of money for such purpose and to provide a tax levy to repay the same.
591. An Act to define the southern and south western line of Parler School District No. 2, Orangeburg County, South Carolina.
592. An Act to provide for the levy of taxes in Pickens County for county and school purposes for the fiscal year beginning January 1, 1937, and ending December 31, 1937, and to direct the expenditure thereof.
593. A Joint Resolution to exempt certain citizens and farmers of Pickens County, South Carolina, who suffered damage by reason of hail storms in 1936 from the payment of taxes for ordinary county purposes.
594. An Act to validate loan of Fifteen Hundred (\$1,500.00) Dollars made to Central School District No. 9, Pickens County, by the Sinking Fund Commission of South Carolina, and to fix a tax levy to provide for the payment thereof.
595. An Act to authorize the issuance and sale of serial bonds not to exceed aggregate amount of Eight Thousand (\$80,000.00) Dollars in the name of Pickens County by the Board of County Commissioners of said county, to provide for the payment of said bonds and to provide for the disposition of proceeds from the sale of same.
596. An Act to provide for a levy of taxes for Richland County for school and county purposes for the year 1937 and to direct the expenditures thereof.
597. An Act to authorize the issuance of negotiable, serial, coupon bonds by Olympia School District No. 4 of Richland County and to provide for the payment thereof.
598. An Act to authorize the School Commissioners of School District No. 1, Richland County, to order and hold an election for the purpose of issuing coupon bonds for school purposes.

599. An Act to authorize the Board of Trustees of School District No. 4, Richland County, to order and hold an election for the purpose of issuing coupon bonds for school purposes.
600. An Act to validate special election held in Lykesland School District No. 5, Richland County, November 2, 1936, for the purpose of making a loan of Two Thousand Five Hundred (\$2,500.00) Dollars from the Sinking Fund Commission of South Carolina, and to fix a tax levy to provide for the payment thereof.
601. An Act to provide for the levy of taxes for ordinary county purposes and school purposes for the year 1937, and the expenditure thereof for Saluda County, to provide for the payment of unpaid court expenses incurred in 1935, to provide transfer to the contingent fund account certain receipts of taxes for the year 1935, and to provide for penalties in case of failure of county officers to perform the duties according to the provisions of this Act.
602. An Act to authorize and empower the Trustees of School District No. 1, Saluda County to borrow a sum of not exceeding Five Thousand Five Hundred (\$5,500.00) Dollars for the completion and equipment of school buildings.
603. An Act to repeal a Joint Resolution Numbered 1303 of the Acts and Joint Resolutions of the General Assembly, South Carolina, 1936, approved May 9, 1936, and entitled "A Joint Resolution to Authorize and Direct the Transfer of Three Thousand (\$3,000.00) Dollars from the General Sinking Fund of Saluda School District No. 1 to the building fund of Saluda School District No. I."
604. An Act to validate loan of Three Thousand (\$3,000.00) Dollars made to Saluda County Board of Education by the Sinking Fund Commission of South Carolina and to fix a tax levy to provide for the payment thereof.
605. An Act relating to the fiscal affairs of Spartanburg County, making appropriations therefor and levying taxes for same.
606. An Act authorizing the Spartanburg County Board of Commissioners and the Spartanburg County Treasurer to assist the Spartanburg County Cooperative Soil Improvement Association, Inc., to finance the purchase of power terracing equipment and to otherwise provide and foster the work of soil conservation in said county.
607. An Act to authorize and empower the Trustees of Duncan School District No. 75, Spartanburg County, to borrow a sum of money not exceeding Six Thousand (\$6,000.00) Dollars for the purpose of the construction and equipment of a community cannery and the purchase of house and lot adjoining the present school property to be used as a teacherage. and to provide for the levy of a tax to retire said loan.
608. An Act to authorize and empower the Trustees of Disputanta School District No. 27, in Spartanburg County, to use the unexpended balance of Nine Hundred and Twenty-Eight and 51/100 (\$928.51) Dollars, accumulated from the sinking fund levy, and any additions to this balance from dividends on funds in closed banks and any taxes now delinquent representing sinking fund levies on property in said school district, for the purpose of improving the school property of said school district.
609. An Act to authorize the Trustees of Inman School District No. 26, Spartanburg County, to withdraw the sinking fund of said district and invest the same.
610. An Act to authorize and empower the Trustees of Campbello School District No. 49, Spartanburg County, of the State of South Carolina, to borrow a sum of money not exceeding Five Thousand (\$5,000.00) Dollars for the purpose of building and equipping a gymnasium and making other improvements of a permanent nature, and to fix a tax levy to provide for payment thereof.

611. An Act to provide for the construction, improvement and repair of highways in Spartanburg County, and for the payment of indebtedness heretofore incurred by said county for such work; to authorize the issuance of bonds of said county for said purposes; to provide for the payment of said bonds and the interest thereon by means of the gasoline tax distributed to said county and by means of a tax levy; and to repeal Act No. 1317 of the Acts of 1936, relating to the same subject.
612. An Act to authorize the County Board of Spartanburg County to use an amount not exceeding five thousand dollars from the proceeds of a three-fourth mill levy not required to retire outstanding notes authorized under Act No. 1315, Acts of the General Assembly, 1936, for the purpose of erecting such additional building at the county home as they may deem necessary.
613. A Joint Resolution authorizing, empowering and directing the County Board and County Treasurer for Spartanburg County to pay to J. D. Johnson and B. W. Johnson the sum of Twenty-five Hundred Forty-seven and 92/100 (\$2,547.92) Dollars, which has been awarded them by the South Carolina Industrial Commission by reason of the death of J. Vance Johnson.
614. An Act to authorize Spartanburg County to issue funding and refunding bonds for the payment of principal and interest of outstanding bonds, and to provide for a tax to pay the principal and interest of such funding and refunding bonds.
615. An Act to provide for a levy of taxes for school and county purposes for Sumter County, and to direct the expenditures thereof, and to fix the salaries of certain officers.
616. An Act to provide for the levying of taxes for county purposes for Union County, for redemption of bonds falling due, coupons due on bonds, for interest on borrowed money, for appropriations herein made from tax levy and other sources of income and for the continuation of same until amended and/or repealed by proper authority.
617. An Act to amend an Act entitled "An Act to Provide for the Levying of Taxes for County Purposes for Union County, for Redemption of Bonds Falling Due, Coupons Due on Bonds, for Interest on Borrowed Money, for Appropriations Herein Made from Tax Levy and Other Sources of Income and for the Continuation of Same Until Amended and/or Repealed by Proper Authority." Passed by the 1937 session of the General Assembly, so as to add an additional item of appropriation in Section 10 of said Act for the Salvation Army.
618. An Act to authorize Union County to issue bonds not to exceed one hundred fifty thousand dollars for the purpose of funding and paying past indebtedness, and to reimburse the treasury for funds lost in bankrupt banks, and to levy a tax therefor.
619. An Act to authorize the School Trustees of Putnam School District, District No. 22, to order and hold an election for the purpose of issuing coupon bonds for school purposes.
620. An Act to provide for the payment of one-third (1/3) of the total cost of construction of a new school building and/or improvements and/or alteration to old school building in the weaker school districts in Union County, and providing a tax levy therefor.
621. An Act to provide for the construction of a certain state highway in Union County pursuant to reimbursement agreement or agreements between the State Highway Commission and Union County, to authorize the making of such an agreement or agreements and the issuance of Union County bonds for said purpose and to provide for the payment of said bonds.
622. An Act to authorize the School Trustees of Union School District No. 11 to order and hold an election for the purpose of issuing coupon bonds for school purposes.

623. An Act to provide for the levy of taxes for county purposes for Williamsburg County for the fiscal year beginning January 1, 1937, and for the expenditure thereof, and to fix the fees of the Clerk of Court for recording crop and chattel mortgages creating liens under Acts of Congress or executive proclamation.
624. An Act to authorize the County Board of Education of Williamsburg County to borrow from the Sinking Fund Commission of the State or School District Sinking Funds, \$8,000.00 for purchasing school equipment and to provide for the payment thereof.
625. An Act to validate, ratify and confirm the organization, formation and creation of Cedar Swamp School District No. 28, of Williamsburg County, the State of South Carolina, and to validate and confirm the election held in said school district on the fifth day of May, 1936, and the issuance of Six Thousand (\$6,000.00) Dollars of bonds in pursuance of said election.
626. A Joint Resolution to authorize the supervisor and the County Board of Commissioners to sell and execute a deed to a certain parcel of land owned by Williamsburg County.
627. An Act to validate loan of Seven Hundred and no/100 (\$700.00) Dollars made to Lanes School District No. 34, Williamsburg County by the Sinking Fund Commission of South Carolina and to fix a tax levy to provide for the payment thereof.
628. An Act authorizing the trustees of certain school districts in Williamsburg County to borrow from the State Sinking Fund Commission or local school district sinking funds, funds sufficient to retire indebtedness, and to provide for payment thereof.
629. An Act to provide for the redemption of property sold by the Sheriff of Williamsburg County under tax executions where the deed has not been delivered to the purchaser, and for the redemption of property conveyed to the Forfeited Land Commission of Williamsburg County and now held by it.
630. An Act to provide for the levy of taxes for ordinary county and road purposes, to pay interest, outstanding bonds and indebtedness during the year 1937 and to provide for the proper expenditure thereof for York County, South Carolina.
631. An Act to provide for the levy of taxes for ordinary county and road purposes, to pay interest, outstanding bonds and indebtedness for the period from January 1, 1938, to July 1, 1938, and to provide for the proper expenditure thereof for York County, South Carolina, and to provide a levy in certain townships for roads.
632. An Act to require the board of equalization of York County to make a survey of all property in the county, its value and to ascerttain if listed for taxes.
633. An Act to provide for the construction of certain state highways in York County pursuant to the reimbursement agreement between the State Highway Commission and York County; to authorize the making of such an agreement and the issuance of York County bonds for said purposes, and to provide for the payment of said bonds.
634. An Act to authorize, empower and direct the Auditor of York County to levy and the Treasurer of York County to collect a sufficient tax to repay the sum of Two Thousand Seven Hundred Thirty Eight and 50/100 (\$2,738.50) Dollars, with interest, borrowed by Broad River Township, in York County, and to authorize and empower the Auditor of York County to levy and the Treasurer of York County to collect a sufficient tax to repay the sum of Fifteen Hundred (\$1,500.00) Dollars, borrowed by Catawba Township, in York County.
635. An Act to authorize and empower the County Supervisor of York County to construct and repair a certain road in said county.

636. An Act to provide additional funds for the expenses of the Sheriff, Deputy Sheriff, and Rural Police officers of York County, while patrolling the public roads and discharging their duties as peace officers.
637. An Act to provide for the issue of coupon bonds for permanent road building and permanent bridges by Fort Mill Township in York County and provide for a commission to expend the proceeds thereof.
638. An Act to amend Sections Nine and Ten of an Act entitled "An Act to Provide for the Issue of Coupon Bonds for Permanent Road Building and Permanent Bridges by Fort Mill Township in York County and Provide for a Commission to Expend the Proceeds Thereof", approved by the Governor April 17, 1937, so as to further provide for the kind and maturity of bonds; for exemption of same from taxation and disposition of proceeds of sale.
639. An Act to validate and declare legal an election held in the City of Rock Hill on the 17th day of October, 1935, on the question of the issuance of Seventy Thousand (\$70,000.00) Dollars of bonds of the City of Rock Hill, York County, South Carolina, for the purpose of paying for the establishment, enlargement, repair and/or improvement of the city hall and its various departments, embracing fire department, police department, jail, recorder's court and public officers, and to validate and declare legal the bonds issued in pursuance of said election.
640. An Act to validate an election held in the Town of Ebenezer, York County, State of South Carolina on August 6, 1935, authorizing the issuance of bonds pursuant to said election, providing for the levy and collection of taxes for the payment thereof and validating the election on December 8, 1936 of three citizens of said town as the Board of Public Works to operate the waterworks system to be constructed with the proceeds of said bonds.
641. An Act to provide for the consolidation of School District No. 5, of Charleston County, the State of South Carolina, and School District No. 6, of Charleston County, the State of South Carolina, into a school district to be known as Consolidated School District No. 5, of Charleston County, the State of South Carolina, and to provide for the issuance of not exceeding Forty Thousand (\$40,000.00) Dollars of bonds of said school district, and to provide a tax levy for the payment thereof.
642. A Joint Resolution authorizing and requiring the South Carolina Tax Commission to issue refund of alcoholic liquors tax stamps mutilated, unused or returned to the commission by J. R. Young and Company.
643. An Act to authorize the Adjutant General to re-convey in the name of the State of South Carolina certain parcels of real estate acquired but not needed as sites for the National Guard Armories.
644. An Act to authorize the construction of a separate unit of the South Carolina penitentiary to be known as the women's penitentiary and to make appropriation for the construction thereof.
645. An Act to amend Act No. . . of the Acts of South Carolina, 1937, entitled "An Act to Authorize the Construction of a Separate Unit of the South Carolina Penitentiary to be Known as the Women's Penitentiary and to Make Appropriation for the Construction Thereof", approved April 8th, 1937, so as to eliminate the provision requiring the obtaining of a grant from the Federal Government of forty five per cent as a prerequisite to the use of the money appropriated, and to authorize a loan from the State Sinking Fund Commission in case no federal grant can be obtained.
646. A Joint Resolution to authorize the South Carolina Aeronautics Commission for and on behalf of the State of South Carolina, to accept title to land, for the purpose of erecting at the Columbia airport an administration building and shop, to be used for the benefit of said commission.

647. An Act to legalize the creation and establishment of authorities or housing authorities in the State of South Carolina under the provisions of the Housing Authorities Law, as amended, and declaring them bodies corporate and politic.
648. A Joint Resolution authorizing payment without presentation of certain interest coupons detached from Santee Bridge District Bonds, and providing protection for the State and State Treasurer against loss resulting from such payment.
649. An Act to authorize and direct the State Highway Department to construct a section of road at the State Training School at Clinton in Laurens County.
650. An Act to require the State Highway Department to pave certain roads at the South Carolina Industrial School for Boys at Florence.
651. An Act to authorize and direct the State Highway Department to construct a section of road at the Dr. John De La Howe Industrial School, a State school, near McCormick, McCormick County.
652. An Act to authorize and direct the State Highway Department to construct a section of road at the Industrial School for Girls in Richland County.
653. A Joint Resolution to authorize and direct the State Highway Department to investigate and pay claims or obligations incurred during the military control of the Highway Department.
654. An Act to authorize the construction, remodeling and re-erection of buildings, the equipping of same, and the extension of the water main by the Board of Regents of the South Carolina State Hospital, the cost of same not to exceed \$173,000.00; and to provide for the payment of same.
655. An Act to amend an Act entitled "An Act to Authorize the Construction, Remodeling and Re-Erection of Buildings, Etc.," approved April 30, 1937, so as to empower the Board of Regents to borrow from the Commissioners of the Sinking Fund of the State or other party.
656. An Act to declare a closed season for three (3) years for fishing for sturgeon.
657. A Joint Resolution to provide for the renewal or extension of certificates of teachers in the public schools of this State without attendance upon summer schools.
658. A Joint Resolution to authorize and direct the State Treasurer to pay H. H. Howland the sum of Ten (\$10.00) Dollars to reimburse him for charter fee paid in proposed incorporation of the Town of Gloversville.
659. A Joint Resolution to provide a sum of money for the dependent mother of Deronda Milam, who was murdered while discharging his duties as a State Highway Patrolman.
660. A Joint Resolution to provide a committee to investigate and report upon the manner in which farmers' cotton pledged under the government loan plan was handled.
661. A Joint Resolution to establish a joint committee on rural electrification providing for its appointment, designating its powers and duties.
662. A Joint Resolution to authorize and direct legislative investigation of the State constabulary, State Highway patrol, and any other law enforcement agency or service in the State; to create a joint legislative committee for this purpose; to define the duties, powers and authority of said committee and to appropriate funds for such investigation.
663. A Joint Resolution to provide for the investigation of the advisability of the passage of a retirement Act or old age benefit payments for public school teachers who have reached the age of sixty-five years.

664. A Joint Resolution providing for the appointment of a committee to investigate the dealings between the State Treasurer and the firm of McAllister, Smith and Pate, in reference to certain securities held by the State Treasurer and to report their findings and recommendations to the General Assembly.
 665. An Act to provide for the construction of a certain State highway in Marion County pursuant to reimbursement agreement between the State Highway Commission and Marion County, to authorize the making of such an agreement and the issuance of Marion County bonds for said purposes and to provide for the payment of said bonds.
 666. An Act to order an election to decide whether Elloree School District No. 70, of Orangeburg and Calhoun Counties, may borrow money to provide a gymnasium for the use of said school district, and upon a favorable vote to authorize the borrowing money for such purpose and to provide for a tax levy to repay the same.
 667. An Act to provide for the reemployment of teachers in the various schools of this State unless they are notified to the contrary.
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ACTS
AND
JOINT RESOLUTIONS
OF THE
General Assembly
OF THE
State of South Carolina

OLIN D. JOHNSTON, Governor; J. EMILE HARLEY, Lieutenant Governor and *ex officio* President of the Senate; SOLOMON BLATT, Speaker of the House of Representatives; JAS. H. FOWLES, Clerk of the Senate; JAMES E. HUNTER, JR., Clerk of the House of Representatives.

Passed at the regular session, which was begun and held at the city of Columbia on the twelfth day of January, A. D. 1937, and was adjourned without day on the twenty-first day of May, A. D. 1937.

Part I
GENERAL AND PERMANENT LAWS

(728, 1936 Acts)

No. 1.

AN ACT Relating to the Sale or Other Disposition of Securities in the State of South Carolina; to Prevent Fraud in the Sale and Disposition of Stocks, Bonds or Other Securities Sold or Offered for Sale Within the State of South Carolina by any Person; to Provide for the Registration of Dealers and Salesmen Engaged in the Business of Selling or Offering for Sale or of Dealing in Securities in the State of South Carolina; to Provide Such Regulation and Supervision Respecting the

Sale of Securities and the Business of Selling, Offering for Sale or Dealing in Securities in the State of South Carolina as May be Necessary to Prevent Fraud; to Provide Penalties for Violations Thereof; to Prescribe and Levy License, Registration and Other Fees and Taxes; and to Repeal Sections 8114 to 8136, Both Inclusive, Code of Laws of South Carolina, 1932, and all Acts or Parts of Acts in Conflict Herewith.

Section 1. Definitions.—Be it enacted by the General Assembly of the State of the State of South Carolina: When used in this Act the following terms shall, unless the text otherwise indicates, have the following respective meanings:

(1) "Security" shall include any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation or the right to subscribe to any of the foregoing; certificate of interest in a profit sharing agreement; certificate of interest in oil, gas or other mineral rights, leaseholds, property or royalties, fee or title; interests or shares in a patent right, copyright, trademark, process or formula; collateral trust certificate, pre-organization certificate, pre-organization subscription, any transferable share, investment contract or beneficial interest in title to property, profits or earnings or any other instrument commonly known as a security; including an interim or temporary bond, debenture, note or certificate, and any certificate of interest or participation in or warrant or right to subscribe to or purchase any security.

(2) "Person" shall include a natural person, a corporation created under the laws of this or any other state, country, sovereignty, or political subdivision thereof, a partnership, an association, a joint stock company, a trust and any unincorporated organization. As used herein the term "trust" shall not include a trust created or appointed under or by virtue of a last will and testament, or by a court of law or equity, or any public charitable trust.

(3) "Sale" or "Sell" shall include every disposition, or attempt to dispose of a security or interest in a security for value. Any security given or delivered with, or as a bonus on account of, any purchase of securities or anyother thing, shall be conclusively presumed to constitute a part of the subject of such purchase and to have been sold for value. "Sale" or "Sell" shall also include a contract to sell, an exchange, an attempt to sell, an option of sale, a solicitation of a sale, a subscription or an offer to sell, directly or by an agent, or a circular, letter, advertisement or otherwise; pro-

vided, that a privilege pertaining to a security giving the holder the privilege to convert such security into another security of the same issuer shall not be deemed a sale of such other security within the meaning of this definition and such privilege shall not be construed as affecting the status of the security to which such privilege pertains with respect to exemption or registration under the provisions of this Act, but when such privilege of conversion shall be exercised, such conversion shall be subject to the limitations hereinafter provided in subsection (h) of Section 5; and provided further that the issue or transfer of a right pertaining to a security and entitling the holder of such right to subscribe to another security of the same issuer, when such right is issued, or transferred with the security to which it pertains, shall not be deemed a sale of such other security within the meaning of this definition and such right shall not be construed as affecting the status of the security to which such right pertains with respect to exemption or registration under the provisions of this Act; but the sale of such other security upon the exercise of such right shall be subject to the provisions of this Act.

(4) "Dealer" shall include every person other than a salesman who in this state engages either for all or part of his time directly or through an agent in the business of selling any securities issued by another person or purchasing or otherwise acquiring such securities from another for the purpose of reselling them or of offering them for sale to the public, or offering, buying, selling or otherwise dealing or trading in securities as agent or principal for a commission or at a profit, or who deals in futures or differences in market quotations of prices or values of any securities or accepts margins on purchases or sales or pretended purchases or sale of securities: provided, that the word "dealer" shall not include a person having no place of business in this state who sells or offers to sell securities exclusively to brokers or dealers actually engaged in buying and selling securities as a business. "Registered dealer" shall mean a dealer registered under the provisions of Section 13 of this Act.

(5) "Issuer" shall mean and include every person who proposes to issue, has issued, or shall hereafter issue any security. Any person who acts as a promoter for and on behalf of a corporation, trust or unincorporated association or partnership of any kind to be formed shall be deemed to be an issuer.

(6) "Salesman" shall include every natural person, other than a dealer, employed or appointed or authorized by a dealer or issuer to sell securities in any manner in this state. The partners of a partnership and the executive officers of a corporation or other association registered as a dealer shall not be salesmen within the meaning of this definition.

(7) "Broker" shall mean dealer as herein defined.

(8) "Agent" shall mean salesman as herein defined.

(9) "Commissioner" shall mean the Commissioner of Securities as provided in Section 2 of this Act.

(10) "Mortgage" shall be deemed to include any trust instrument to secure a debt.

(11) "Fraud" or "Fraudulent practice" shall mean and include any misrepresentation, in any manner, of a material fact, such misrepresentation being intentional or due to gross negligence; any promise or representation or prediction as to the future not made honestly and in good faith; or the intentional failure to disclose a material fact: *Provided, However,* That nothing herein shall limit or diminish the full meaning of the terms "fraud", "Fraudulent" or "Fraudulent practice" as applied or accepted in courts of law or equity.

§ 2. Commissioner.—The administration of this Act shall be vested in the Insurance Commissioner of the State of South Carolina, who, for the purposes of this Act, is hereafter called Commissioner.

§ 3. Powers and duties of commissioner.—The Commissioner shall be vested with the powers and duties provided in this Act, including:

1. The power to administer oaths.

2. The power to make such examinations and investigations as are provided in this Act.

3. The power to employ, from time to time, such attorneys, clerks and employees as are necessary for the administration of this Act, who shall perform such duties as the Commissioner shall assign to them, their compensation to be that as fixed by the Commissioner and to be paid out of the fees hereafter provided to be paid under the provisions of this Act.

4. The power to cooperate with other governmental officials, state and national, and to coordinate the administration of this Act with other similar state and national Acts in so far as such may be found

to be consistent with the purposes and provisions of this Act and not in conflict with his duties hereunder.

5. The duty of administering this Act according to the purposes declared in the Act.

The Commissioner and each of the employees shall take and subscribe and file the oath of office prescribed by law.

§ 4. Securities exempt.—Except as hereinafter otherwise expressly provided the provisions of this Act shall not apply to any of the following classes of securities.

(a) Any security issued or guaranteed by the United States or any territory or insular possession thereof, or by the District of Columbia or by any state of the United States or political subdivision or agency thereof.

(b) Any security issued or guaranteed by any foreign government with which the United States is at the time of the sale thereof maintaining diplomatic relations, or by any state, province or political subdivision thereof having the power of taxation or assessment, provided such security has been registered with the Securities and Exchange Commission pursuant to the provisions of the Federal Securities Act of 1933, as amended and the registration statement remains in effect as to such security.

(c) Any security issued by and representing an interest in or a direct obligation of a national bank or issued by any federal land bank or joint-stock land bank or national farm loan association under the provisions of the Federal Farm Loan Act of July 17, 1916, or by any corporation created and acting as an instrumentality of the Government of the United States pursuant to authority granted by the Congress of the United States.

(d) Any security issued or guaranteed either as to principal, interest or dividend by a corporation owning or operating a railroad or any other public service utility; provided, that such corporation is subject to regulation or supervision either as to its rates and charges or as to the issue of its own securities by a public commission, board or officer of the Government of the United States, or of any state, territory or insular possession thereof, or of any municipality located therein, or of the District of Columbia, or of the Dominion of Canada or any province thereof; also equipment securities based on chattel mortgages, leases or agreements for conditional sale of cars, motive power or other rolling stock mortgaged, leased or sold to or furnished for the use of or upon such railroad

or other public service utility corporation or where the ownership or title of such equipment is pledged or retained in accordance with the provisions of the laws of the United States or of any state, or of the Dominion of Canada, to secure the payment of such equipment securities; also bonds, notes or other evidences of indebtedness issued by a holding corporation and secured by collateral consisting of any securities hereinabove in this clause (d) described: *Provided*, That the collateral securities equal in fair value at least 125 per centum of the par value of the bonds, notes or other evidences of indebtedness so secured.

(e) Any security issued by a corporation organized exclusively for religious, educational, benevolent, fraternal, charitable or reformatory purposes and not for pecuniary profit, and no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(f) Securities which at the time of the sale have been fully listed upon the New York Stock Exchange, the Boston Stock Exchange, the Chicago Stock Exchange, the New York Curb Exchange, or upon any other recognized and responsible stock exchange which has been previously approved by the Commissioner as hereinafter in the sub-section provided, and also all securities senior to, or if of the same issues, upon a parity with any securities so listed, or represented by subscription rights which have been so listed, or evidences of indebtedness guaranteed by any company any stock of which is so listed, such securities to be exempt only so long as such listing shall remain in effect and only so long as the exchange upon which such securities are so listed remains approved under the provisions of this subsection. Approval of any stock exchange by the Commissioner shall be by written order upon a finding that:

A. The requirements for the listing of securities upon such exchange are such as to effect substantially the reasonable protection of the public as exists in the case of the exchanges herein approved;

b. Such exchange provides adequate facilities for the use of its members for the sale and purchase of securities listed by such exchange;

c. The governing constitution and by-laws of such exchange shall require:

1. An adequate examination into the affairs of the issuer of the securities which are to be listed before permitting trading therein.

2. That the issuer of such securities, so long as they be listed, shall periodically prepare, make public and furnish promptly to the exchange, appropriate financial, income and profit and loss statements.

3. That securities listed and traded in on such exchange be restricted to those of ascertained and sound asset and/or income value.

4. A reasonable surveillance of its members, including a requirement for periodical financial statements and a determination of financial responsibility of its members, and the right and obligation in the governing body of such exchange to suspend or expel any member found to be financially embarrassed or irresponsible, or found to have been guilty of misconduct in his business dealings, or conduct prejudicial to the rights or interest of his customers.

The Commissioner, upon ten (10) days' notice and hearing, shall have power at any time to withdraw the approval theretofore granted by him to any stock exchange, and thereupon securities so listed upon such exchange shall be no longer entitled to the benefits of such exemption except upon further order of the Commissioner again approving such exchange.

(g) Any Security issued by and representing an interest in or a direct obligation of any state bank, trust company or savings institution incorporated under the laws of and subject to the examination, supervision, and control of this state; or by any insurance company under the supervision of the insurance department of this State; or issued by any building and loan association of this state under like supervision.

(h) Negotiable promissory notes and any draft, bill of exchange or banker's acceptance given for full value and for the sole purpose of evidencing or extending the time of payment of the price of goods, wares or merchandise purchased, or which arise out of current transactions or the proceeds of which have been or are to be used for current transactions, and which such notes, drafts, bills of exchange or banker's acceptances have a definite maturity at the time of issuance of not exceeding nine months.

(i) Any security, other than common stock, providing for a fixed return, which has been outstanding and in the hands of the public for a period of not less than five years, upon which no default in payment of principal or failure to pay the return fixed, has occurred for a continuous immediately preceding period of five years.

(j) Securities evidencing indebtedness due under any contract made in pursuance to the provisions of any statute of any state or

of the United States providing for the acquisition of personal property under conditional sales contract.

§ 5. Transactions exempt.—Except as hereinafter expressly provided, the provisions of this Act shall not apply to the sale of any security in any of the following transactions:

(a) At any judicial, executor's, administrator's, guardians', or conservator's sale, or at any sale by a receiver or trustee in insolvency or bankruptcy.

(b) By or for the account of a pledge holder or mortgagee selling or offering for sale or delivery in the ordinary course of business and not for the purpose of avoiding the provisions of this Act, to liquidate a bona fide debt, a security pledged in good faith as security for such debt.

(c) An isolated transaction in which any security is sold, offered for sale, subscription or delivery by the owner thereof, or by his representative for the owner's account, such sale or offer for sale, subscription or delivery not being made in the course of repeated and successive transactions of a like character by such owner, or on his account by such representatives, and such owner or representative not being the underwriter of such security.

(d) The distribution by a corporation, actively engaged in the business authorized by its charter, of securities to its stockholders or other securities holders as a stock dividend or other distribution out of earnings or surplus or in liquidation of such corporation; or the issuance of securities to the security holders or other creditors of a corporation in the process of a bona fide reorganization of such corporation made in good faith and not for the purpose of avoiding the provisions of this Act, either in exchange for the securities of such security holders or claims of such creditors or partly for cash and partly in exchange for the securities or claims of such security holders or creditors; or the issuance of additional capital stock of a corporation sold or distributed by it among its own stockholders exclusively, where no commission or other remuneration is paid or given directly or indirectly in connection with the sale or distribution of such increased capital stock.

(e) The sale, transfer or delivery of any securities to any bank, savings institution, trust company, insurance company or to any corporation or to any broker or dealer: *Provided*, That such broker or dealer is actually engaged in buying and selling securities as a business.

(f) The transfer or exchange by one corporation to another corporation of their own securities in connection with a consolidation or merger of such corporations, or in connection with the change of par value stock to non par value stock or of non par value stock to par value stock or the exchange of outstanding shares for a greater or smaller number of shares; the transfer or exchange by or on the account of one corporation of its own securities to the holders of securities of another corporation, partnership, trust, person, firm or association in any plan of distribution or exchange providing for the assumption or acquisition by the issuing corporation of the securities for which its own securities are issued or are to be issued, where the plan of distribution or exchange is contained in a registration statement which has been filed for more than twenty days with the Securities and Exchange Commission of the United States or like agency of the United States charged with the registration of securities.

(g) Bonds or notes secured by mortgage upon real estate or tangible personal property where the entire mortgage together with all of the bonds or notes secured thereby are sold to a single purchaser at a single sale.

(h) The issue and delivery of any security in exchange for any other security of the same issuer pursuant to a right of conversion entitling the holder of the security surrendered in exchange to make such conversion, provided that the security so surrendered has been registered under the law or was, when sold, exempt from the provisions of the law and that the security issued and delivered in exchange if sold at the conversion price would at the time of such conversion fall within the class of securities entitled to registration by notification under the law. Upon such conversion the par value of the security surrendered in such exchange shall be deemed the price at which the securities issued and delivered in such exchange are sold.

(i) Subscriptions for shares of the capital stock of a corporation prior to the incorporation thereof under the laws of this State, when no expense is incurred, or no commission, compensation or remuneration is paid or given for or in connection with the sale or disposition of such securities.

§ 6. Registration of securities.—No securities, except of a class exempt under any of the provisions of Section 4 hereof or unless sold in any transaction exempt under any of the provisions of Sec-

tion 5 hereof, shall be sold within this state unless such securities shall have been registered by notification or by qualification as hereinafter defined. Registration of stock shall be deemed to include the registration of rights to subscribe to such stock if the notice under Section 7 or the application under Section 8 for registration of such stock includes a statement that such rights are to be issued. A record of the registration of securities shall be kept in a Register of Securities to be kept in the office of the Commissioner, in which Register of Securities shall also be recorded any orders entered by the Commissioner with respect to such securities. Such register, and all information with respect to the securities registered therein, shall be open to public inspection.

§ 7. Registration of securities by notification.—The following classes of securities shall be entitled to registration by notification in the manner provided in this section:

(1) Securities issued by a corporation, partnership, association, company, syndicate or trust owning a property, business or industry which has been in continuous operation not less than three years and which has shown during a period of not less than two years or more than ten years next prior to the close of its last fiscal year preceding the offering of such securities, average annual net earnings, after deducting all prior charges not including the charges upon securities to be retired out of the proceeds of sale, as follows:

(a) In the case of interest-bearing securities, not less than one and one-half times the annual interest charge thereon and upon all other outstanding interest-bearing obligations of equal rank.

(b) In the case of preferred stock, not less than one and one-half times the annual dividend requirements on such preferred stock and on all other outstanding stock of equal rank.

(c) In the case of common stock, not less than five per centum upon all outstanding common stock of equal rank, together with the amount of common stock then offered for sale reckoned upon the price at which such stock is then offered for sale or sold.

The ownership by a corporation, partnership, association, company, syndicate or trust of more than fifty per centum of the outstanding voting stock of a corporation shall be construed as the proportionate ownership of the property, business or industry of such corporation, and shall permit the inclusion of the earnings of such corporation applicable to the payment of dividends upon the stock so owned in the earnings of the corporation, partnership, associa-

tion, company, syndicate or trust issuing the securities sought to be registered by notification.

(2) Securities issued by "seasoned corporations" where such securities have been registered with the Securities and Exchange Commission (of the United States) according to the provisions of law and rules or regulations of the Securities and Exchange Commission applicable generally to such class or securities, viz: (a) Securities of a Corporation which has made annually available to its security holders, for at least ten years, financial reports (which may be reports consolidating the reports of the corporation and its subsidiaries) including at least a balance sheet and a profit and loss or income statement, or (b) such corporation had a net income for any two fiscal years of the five fiscal years preceding the date of the latest balance sheet filed with the registration statement; or as to such class of securities of seasoned corporations as the same may hereafter be defined or designated or classified by the Securities and Exchange Commission, or by act of Congress.

(3) The Commissioner shall have power and authority to receive registration by notification of other securities which are substantially of the same quality and description as either of the specific classes above named, although not specifically heretofore described.

Securities entitled to registration by notification shall be registered in the following manner:

A. In the case of securities falling within the class defined by subsection (1) of this Section 7, such securities shall be registered by the filing by the issuer or by any registered dealer interested in the sale thereof in the office of the Commissioner of a statement with respect to such securities containing the following:

(a) Name of Issuer:

(b) A brief description of the security, including amount of the issue;

(c) Amount of securities to be offered in the state;

(d) A brief statement of the facts which show that the security falls within the class therein defined;

(e) The price at which the securities are to be offered for sale;

(f) At that time or within two days thereafter or within such further time as the Commissioner shall allow; a copy of the circular to be used for the public offering.

B. In the case of securities falling within the class defined by subsection (2) of this Section 7, such securities shall be registered

by the filing by the issuer, or by any registered dealer interested in the sale thereof, in the office of the Commissioner.

(a) Notice of intention to offer such securities for sale, together with a statement of the amount of such securities to be offered in this state;

(b) A copy of the prospectus filed with the Securities and Exchange Commission. The depositing of such notice of intention to sell, statement of amount to be sold in the state and a copy of the prospectus together with remittance for the proper filing fee in a United States Post Office, properly enclosed in an envelope addressed to the Commissioner at his office in Columbia, South Carolina, postage prepaid, shall constitute the filing thereof.

The filing of such statement in the office of the Commissioner and the payment of the fee hereinafter provided shall constitute the registration of such security. Upon such registration, such securities may be sold in this state by any registered dealer giving notice in the manner hereinafter provided in Section 13, subject, however, to the further order of the Commissioner as hereinafter provided.

If, at any time, the Commissioner has reasonable grounds to believe or finds as a fact that the information contained in the statement or circular filed is or has become misleading, incorrect, inadequate or incomplete, or the sale or offering for sale of the security may work or tend to work a fraud, the Commissioner may require from the person filing such statement such further information as may in his judgment be necessary to establish the classification of such security as claimed in said statement or to enable the Commissioner to ascertain whether the registration of such security should be revoked on any ground specified in Section 12, and the Commissioner may also suspend the right to sell such security pending further investigation by entering an order specifying the grounds for such action, and by notifying by mail, or personally, or by telephone confirmed in writing, or by telegraph, the person filing such statement and every registered dealer who shall have notified the Commissioner of an intention to sell such security. The refusal to furnish information required by the Commissioner within a reasonable time, to be fixed by the Commissioner, may be a proper ground for the entry of such order of suspension. Upon the entry of any such order of suspension no further sales of such security shall be made until the further order of the Commissioner.

In the event of the entry of such order of suspension, the Commissioner shall upon request give a prompt hearing to the parties interested. If no hearing is requested within a period of twenty days from the entry of such order, or if upon such hearing the Commissioner shall determine that any such security does not fall within a class entitled to registration under this section, or that the sale thereof should be revoked on any ground specified in Section 12, he shall enter a final order prohibiting the sale of such security, with his findings with respect thereto; *Provided*, That if the finding with respect to such security is that it is not entitled to registration under this section, the applicant may apply for registration by qualification by complying with the requirements of Section 8. Until the entry of such final order the suspension of the right to sell, though binding upon the persons notified thereof, shall be deemed confidential, and shall not be published, unless it shall appear that the order of suspension has been violated after notice. Appeals from such final order may be taken as hereinafter provided. If, however, upon such hearing, the Commissioner, shall find that the security is entitled to registration under this Section, and that its sale will neither be fraudulent nor result in fraud, he shall forthwith enter an order revoking such order of suspension and such security shall be restored to its status as a security registered under this section, as of the date of such order of suspension.

At the time of filing the statement, as hereinbefore prescribed in this section, the applicant shall pay to the Commissioner a fee of one-fortieth of one per centum of the amount of the securities to be offered for sale in this state for which the applicant is seeking registration, computed upon the price at which such securities are to be sold to the public. In no case shall such fee be less than One Dollar (\$1.00) nor more than ten dollars (\$10.00).

§ 8. Registration of securities by qualification.—All securities required by this Act to be registered before being sold in this State and not entitled to registration by notification, shall be registered only by qualification in the manner provided by this section.

The Commissioner shall receive and act upon applications to have securities registered by qualification, and may prescribe forms on which he may require such applications to be submitted. Application shall be in writing and shall be duly signed by the applicant and sworn to by any person having knowledge of the facts, and filed in the office of the Commissioner and may be made either by the issuer

of the securities for which registration is applied or by any registered dealer desiring to sell the same within the state.

The Commissioner may require the applicant to submit to the Commissioner the following information respecting the issuer and such other relevant information as the commissioner may in his judgment deem necessary to enable him to ascertain whether such securities shall be registered pursuant to the provisions of this section:

(a) The names and addresses of the directors, trustees and officers, if the issuer be a corporation or association or trust; of all partners, if the issuer be a partnership, and of the issuer, if the issuer, be an individual.

(b) The location of the issuer's principal business office and of its principal office in this state, if any.

(c) The purposes of incorporation (if incorporated) and the general character of the business actually to be transacted by the issuer, and the purposes of the proposed issue.

(d) A statement of the capitalization of the issuer; a balance sheet showing the amount and general character of its assets and liabilities on a day not more than sixty days prior to the date of filing such balance sheet; a detailed statement of the plan upon which the issuer proposes to transact business; a copy of the security for the registration of which application is made, and a copy of any circular, prospectus, advertisement or other description of such securities then prepared by or for such issuer or by or for such applicant (if the applicant shall not be the issuer) to be used for distribution or publication in this State.

(e) A statement of the amount of the issuer's income, expenses, and fixed charges during the last fiscal year, or if in actual business less than one year, then for such time as the issuer has been in actual business.

(f) A statement showing the price at which such security is proposed to be sold, together with the maximum amount of commission or other form of remuneration to be paid in cash or otherwise, directly or indirectly, for or in connection with the sale or offering for sale of such securities.

(g) A detailed statement showing the items of cash, property, services, patents, good will and any other consideration for which such securities have been or are to be issued in payment.

(h) The amount of capital stock which is to be set aside and disposed of as promotion stock and a statement of all stock issued from time to time as promotion stock.

(i) If the issuer is a corporation, there shall be filed with the application a certified copy of its articles of incorporation with all amendments and of its existing by-laws, if not already on file in the office of the Commissioner or of the Secretary of State of this state. If the issuer is a partnership or an unincorporated association, or joint stock company, or any other form of organization whatsoever, there shall be filed with the application a copy of its articles of partnership or association and all other papers pertaining to its organization, if not already on file in the office of the Commissioner or of the Secretary of State of this State.

All of the statement, exhibits and documents of every kind required by the Commissioner under this section, except properly certified public documents, shall be verified by the oath of the applicant or of the issuer in such manner and form as may be required by the Commissioner.

With respect to securities required to be registered by qualification under the provisions of this section, the Commissioner may by order duly recorded require that the issuer shall receive in cash not less than 80 per centum of the proceeds of each sale of the securities without deductions for any commissions or expenses, directly or indirectly and without liability to pay any sum whatsoever as commission or expenses or for services in and about such sale.

At the time of filing the information as hereinbefore prescribed in this section, the applicant shall pay to the Commissioner a fee of one-tenth of one per cent of the aggregate par value of the securities to be sold in this state, for which the applicant is seeking registration, but in no case shall such fee be less than twenty dollars (\$20.00) nor more than two hundred dollars (\$200.00). In case of stock having no par value the price at which such stock is to be offered to the public shall be deemed to be the par value, of such stock.

If upon examination of any application the Commissioner shall find that the sale of the security referred to therein would not be fraudulent and would not work or tend to work a fraud upon the purchaser, and that the enterprise or business of the issuer is not based upon unsound business principles, he shall record the registration of such security in the Register of Securities, and thereupon such security so registered may be sold by the issuer or by any

registered dealer who has notified the Commissioner of his intention so to do, in the manner hereinafter provided in Section 13, subject, however, to the further order of the Commissioner as hereinafter provided.

§ 9. Consent to service.—Upon any application for registration by notification under Section 7 made by an issuer, and upon any application for registration by qualification under Section 8, whether made by an issuer or registered dealer, where the issuer is not domiciled in this state, there shall be filed with such application the irrevocable written consent of the issuer or of the dealer applying for such registration that in suits, proceedings and actions growing out of the violation of any provision of this Act, the service on the Commissioner of any notice, process, or pleading therein, authorized by the laws of this state, shall be as valid and binding as if due service had been made on the issuer. Any such action may be brought in the proper court of any county in this state in which a cause of action may arise or in which the plaintiff resides. Said written consent shall be authenticated by the seal of said issuer, if it has a seal, and by the acknowledged signature of a member of the co-partnership or company, or by the acknowledged signature of any officer of the incorporated or unincorporated association, if it be an incorporated or unincorporated association, duly authorized by resolution of the board of directors, trustees or managers of the corporation or association, and shall in such case be accompanied by a duly certified copy of the resolution of the board of directors, trustees or managers of the corporation or association, authorizing the officers to execute the same. In case any process or pleadings mentioned in this Act are served upon the Commissioner, it shall be by duplicate copies, one of which shall be filed in the office of the Commissioner and another immediately forwarded by the Commissioner by registered mail to the principal office of the issuer against which said process or pleadings are directed.

§ 10. Registration of outstanding securities for resale or for trading purposes.—Any security the entire issue of which has been issued and is outstanding in the hands of the public prior to the date of this Act is approved by the Governor and becomes effective, or any stock of the same rank or parity lawfully issued by way of stock split-up or a stock dividend thereon, may be registered for resale or for dealing in or trading purposes by filing by a registered dealer or registered dealers in the office of the Commissioner:

1. (a) The name and description of the security sought so to be registered.

(b) Notice of intention to offer for resale or to deal or trade generally in any such security.

2. If requested by the Commissioner there shall also be filed:

(a) A statement, with such supporting data or verifications as may be available, evidencing the fact that such security and the entire issue of which such security is a part was issued and was outstanding in the hands of the public prior to the effective date of this Act, or that such security consists of stock of the same rank or parity lawfully issued by way of stock split-up or a stock dividend thereon:

(b) The price at which such security is to be offered for resale, if presently known, and if not known then the method or formula for arriving at the offering price from time to time and such additional information as the dealer has tending to establish the fairness of such price:

(c) A copy of the latest available balance sheet or other available financial data tending to establish the condition of the issuer thereof.

If it shall appear to the Commissioner from the information so filed with him or otherwise available to him that such security, or the price at which it is to be sold, or the methods of the sale are such as would work or tend to work a fraud on the purchasers thereof, the Commissioner shall, after notice and opportunity to be heard or after a hearing thereon, refuse registration thereof; otherwise he shall register such security for resale or for dealing and trading generally therein by registered dealers, subject to the provisions of Sections 12 and 18 of this Act.

This section shall not be deemed as in any way modifying or limiting any of the provisions as to exemptions contained in Section 4 and 5 of this Act.

§ 11. Reorganization or recapitalization of corporations.—

The Commissioner is authorized and empowered on application to consider and to conduct or hold hearings upon any plan of reorganization or recapitalization of a corporation organized under the laws of this state, or domiciled or having its principal place of business within this state, proposed by such corporation or by its stockholders or creditors, by which proposed plan of reorganization or recapitalization it is proposed to issue securities in exchange for one or more bona fide outstanding securities, claims or property interests, or partly in such exchange and partly for cash, to approve

the terms and conditions of such issuance and exchange and the fairness of such terms and conditions, after a hearing upon the fairness of such terms and conditions, at which all persons to whom it is proposed to issue securities in such exchange shall have the right to appear; also to approve fair and reasonable terms and conditions for any resale of such securities so issued in such exchange to the end of preventing fraud or deception in any such exchange or the resale of any securities so issued in such exchange.

§ 12. Revocation of registration of securities.—The Commissioner may revoke the registration of any security by entering an order to that effect, with his findings in respect thereto, if upon examination into the affairs of the issuer of such security it shall appear that the issuer:

- (1) is insolvent; or
- (2) has violated any of the provisions of this Act or any order of the Commissioner of which such issuer has notice; or
- (3) has been or is engaged or is about to engage in fraudulent transactions; or
- (4) is in any other way dishonest or has made any fraudulent representations in any prospectus or in any circular or other literature that has been distributed concerning the issuer or its securities, or
- (5) is of bad business repute; or
- (6) does not conduct its business in accordance with law; or
- (7) that its affairs are in an unsound condition; or
- (8) that the enterprise or business of the issuer or the security is not based upon sound business principles.

In making such examination the Commissioner shall have access to and may compel the production of all the books and papers of such issuer, and may administer oaths to and examine the officers of such issuer or any other person connected therewith as to its business and affairs and may also require a balance sheet exhibiting the assets and liabilities of any such issuer or his income statement, or both, to be certified to by a public accountant either of this state or of any other state where the issuer's business is located, approved by the Commissioner.

Whenever the Commissioner may deem it necessary he may also require such balance sheet or income statement, or both, to be made more specific in such particulars as the Commissioner shall point out or to be brought down to the latest practicable date.

If any issuer shall refuse to permit an examination to be made by the Commissioner, it shall be proper ground for revocation of registration.

If the Commissioner shall deem it necessary he may enter an order suspending the right to sell securities pending any investigation, provided that the order shall state the Commissioner's grounds for taking such action.

Notice of the entry of such order shall be given by mail, or personally, or by telephone confirmed in writing, or by telegraph, to the issuer and every registered dealer who shall have notified the Commissioner of an intention to sell such security.

Before such order is made final, the issuer or dealer applying for registration shall on application be entitled to a hearing.

§ 13. Registration of dealers and salesmen.—No dealer or salesman shall engage in business in this state as such dealer or salesman or sell any securities (including securities exempted in Section 4 of this Act) except in transactions exempt under Section 5 of this Act, unless he has been registered as a dealer or salesman in the office of the Commissioner pursuant to the provisions of this section.

An application for registration in writing shall be filed in the office of the Commissioner in such form as the Commissioner may prescribe, duly verified by oath, which shall state the principal office of the applicant, wherever situated, and the location of the principal office and all branch offices in this state, if any, the name or style of doing business, the names, residence and business addresses of all persons interested in the business as principals, co-partners, officers and directors, specifying as to each his capacity and title, the general plan and character of business and the length of time the dealer has been engaged in business. The Commissioner may also require such additional information as to applicant's previous history, record and association, as he may deem necessary to establish the good repute in business of the applicant.

There shall be filed with such application an irrevocable written consent to the service of process upon the Commissioner in actions against such dealer in manner and form as hereinabove provided in Section 9.

If the Commissioner shall find that the applicant is of good repute and has complied with the provisions of this section, including the

payment of the fee hereinafter provided, he shall register such applicant as a dealer.

Upon the written application of a registered dealer and general satisfactory showing as to good character and the payment of the proper fee, the Commissioner shall register as salesmen of such dealer such natural persons as the dealer may request. Such registration shall cease upon the termination of the employment of such salesmen by such dealer.

The names and addresses of all persons approved for registration as dealers or salesmen and all orders with respect thereto shall be recorded in a Register of Dealers and Salesmen kept in the office of the Commissioner, which shall be open to public inspection. Every registration under this section shall expire on the 31st day of December in each year, but new registrations for the succeeding year shall be issued upon written application and upon payment of the fee as hereinafter provided, without filing of further statements or furnishing any further information unless specifically required by the Commissioner. Applications for renewals must be made not less than thirty nor more than sixty days before the first day of the ensuing year, otherwise they shall be treated as original applications. The fee for original registration of a dealer shall be one hundred dollars (\$100.00) and for each annual renewal thereof twenty-five dollars (\$25.00), provided, however, that a dealer who is actively engaged in business with an established office and a regular place of business in this State as of the date this Act shall become effective, and who shall file an application for registration within thirty (30) days from the effective date of this Act, shall pay an original registration fee of twenty-five dollars (\$25.00). The fee for registration of each salesman and for each annual renewal thereof shall be five dollars (\$5.00).

Changes in registration occasioned by changes in the personnel of a partnership or in the principals, co-partners' officers or directors of any dealer may be made from time to time by written application setting forth the facts with respect to such changes.

Every registered dealer who intends to offer any security of any issue, registered or to be registered, shall notify the Commissioner in writing of his intention so to do. The notice shall contain the name of the dealer and shall state the name of the security to be offered for sale, and whenever a dealer shall have prepared such notice and shall have forwarded the same by registered mail, postage prepaid and

properly addressed to the Commissioner, such dealer, as to the contents of such notice and the filing thereof, shall be deemed to have complied with the requirements of this paragraph. Any issuer of a security required to be registered under the provisions of this Act, selling such securities except in exempt transactions as defined in Section 5 hereof, shall be deemed a dealer within the meaning of this Section 13 and required to comply with all the provisions hereof.

§ 14. Revocation of dealers' and salesmen's registration.—Registration under Section 13 may be refused or any registration granted may be revoked by the Commissioner if after a reasonable notice and a hearing the Commissioner determines that such applicant or registrant so registered:

(1) Has violated any provisions of this Act or any regulation made hereunder; or

(2) Has made a material false statement in the application for registration; or

(3) Has been guilty of a fraudulent act in connection with any sale of securities, or has been or is engaged or is about to engage in making fictitious or pretended sales or purchases of any of such securities or has been or is engaged or is about to engage in any practice or sale of securities which is fraudulent or in violation of the law; or

(4) Has failed to account to persons interested for all money or property received or has failed to deliver, after a reasonable time, to persons entitled thereto, securities held or agreed to be delivered, as and when paid for and due to be delivered.

(5) Has demonstrated his unworthiness to transact the business of dealer or salesman.

In cases of charges against a salesman, notice thereof shall also be given the dealer employing such salesman.

Pending the hearing the Commissioner shall have the power to order the suspension of such dealer's or salesman's registration; provided, such order shall state the cause for such suspension.

Until the entry of a final order the suspension of such dealer's registration, though binding upon the persons notified thereof, shall be deemed confidential, and shall not be published, unless it shall appear that the order of suspension has been violated after notice.

In the event the Commissioner determines to refuse or revoke a registration as hereinabove provided, he shall enter a final order herein with his findings on the Register of Dealers and Salesmen;

and suspension or revocation of the registration of a dealer shall also suspend or revoke the registration of all his salesmen.

It shall be sufficient cause for refusal or cancellation of registration in case of a partnership or corporation or any unincorporated association, if any member of a partnership or any officer or director of the corporation or association has been guilty of any act or omission which would be cause for refusing or revoking the registration of an individual dealer or salesman.

§ 15. Advertising.—Except as otherwise specifically provided in this section, no person shall directly or indirectly, through agents or otherwise, publish, circulate, distribute or cause to be published, circulated or distributed in any manner in this state, any circular, prospectus, advertisement, printed matter, document, pamphlet, leaflet or other matter (hereinafter referred to as advertising matter) containing or constituting an offer to sell securities, other than securities exempted under the provisions of Section 4 hereof and other than offers to sell in exempted transactions under Section 5 hereof, and which have not been registered by notification under Section 7 or by qualification under Section 8 hereof.

All advertising matter shall carry the name and address of the issuer or dealer circulating, publishing or distributing the same and shall contain no reference that the security to be offered thereby has been registered under the provisions of this Act, and shall contain no statement stating or implying that any such security is or has been approved by the Commissioner.

Notwithstanding any other provision of this Act, any advertising matter may include the names of persons and non-registered dealers who have participated with registered dealers in the original purchase or underwriting of such securities without being deemed to be in violation of this Act; but permission to so subscribe to such advertising matter shall not extend to such persons or non-registered dealers the privilege of selling such securities in this state except as the sales thereof shall otherwise be exempted by this Act. Any advertising matter may, by an appropriate readily legible legend printed thereon, limit the offering thereby made to any particular character of sales or class of transactions, in which event such advertising matter shall not be deemed to be for any other or additional purpose.

As to securities registered by notification under Section 7, a copy of any such advertising matter, if not filed with the notice, shall be filed within forty-eight hours after the initial publication, circulation

or distribution thereof, or within such further time as may be allowed by the Commissioner.

As to securities registered by qualification under Section 8, no such advertising matter shall be published, circulated, distributed or cause to be published, circulated or distributed in any manner unless and until such advertising matter shall have been submitted in duplicate to the Commissioner.

§ 16. Burden of proof.—It shall not be necessary to negative any of the exemptions in this Act provided in any complaint, information, indictment or any other writ or proceedings laid or brought under this Act and the burden of establishing the right to any such exemption shall be upon the party claiming the benefit of such exemption, and any person claiming the right to register any securities by notification under Section 7 of this Act shall also have the burden of establishing the right so to register such securities.

§ 17. Escrow agreement.—If the statement containing information as to securities to be registered, as provided for in Section 8 of this Act, shall disclose that any such securities or any securities senior thereto shall have been or shall be intended to be issued for any patent right copyright, trademark, process, formula or good will, or for organization or promotion fees or expense or for good will or going concern value or other intangible assets, the amount and nature thereof shall be fully set forth and the Commissioner may require that such securities so issued in payment of such patent right, copyright, trade-mark, process, formula or good will, or for organization or promotion fees or expenses, or for other intangible assets, shall be delivered in escrow to the Commissioner or other depository satisfactory to the Commissioner under an escrow agreement that the owners of such securities shall not be entitled to withdraw such securities from escrow until all other stockholders who have paid for their stock in cash shall have been paid a dividend or dividends aggregating not less than six per cent, shown to the satisfaction of said Commissioner to have been actually earned on the investment in any common stock so held; and in case of dissolution or insolvency during the time such securities are held in escrow, that the owners of such securities shall not participate in the assets until after the owners of all other securities shall have been paid in full. No such securities so held in escrow shall be deemed to be registered or otherwise qualified for sale in this state unless specifically provided for by order of the Commissioner.

§ 18. Transactions illegal and prohibited—investigations and examinations—injunctions—receivers.—A. **ILLEGAL AND PROHIBITED TRANSACTIONS.** The use or employment by any person of any fraud, fraudulent act, fraudulent practice, or fraudulent transaction, of any device, scheme or artifice to defraud or to obtain money or property by means of any false pretense, representation or promise, in connection with the sale within or from this state of any security, including any security exempted under Section 4 and including transactions exempted under the provisions of Section 5; any fictitious or pretended purchase or sale of securities; the engaging in business as a dealer or salesman as defined in Section I of this Act, except in exempted transactions as provided in Section 5, without first duly being registered as provided in Section 13; and the sale or offer of sale of any security in violation of this Act, are hereby declared to be illegal and are hereby prohibited.

B. **EXAMINATIONS AND INVESTIGATIONS.** Whenever it shall appear to the Commissioner, either upon complaint or otherwise, that in the issuance, sale, promotion, negotiation, advertisement, or distribution of any securities within this state, including any security exempted under provisions of Section 4, and including any transaction exempted under the provisions of Section 5, any person, as defined in this Act:

(1) shall have employed or employs, or is about to employ any device, scheme or artifice to defraud or for obtaining money or property by means of any false pretense, representation or promise;

(2) or that any such person shall have made, makes or attempts to make in this state fictitious or pretended purchases or sales of securities;

(3) or shall have engaged in or engages in or is about to engage in any practice or transaction or course of business relating to the purchase or sale of securities

(a) which is in violation of law

(b) or which is fraudulent

(c) or which has operated or which would operate as a fraud upon the purchaser;

(4) or that any person is acting as dealer or salesman within this state without being duly registered as such dealer or salesman as provided in this Act,

the Commissioner may investigate, and whenever he shall believe from evidence satisfactory to him

(a) that any such person has engaged in, is engaged or is about to engage in any of the practices or transactions hereinbefore referred to as and declared to be illegal and prohibited;

(b) or is selling or offering for sale any securities in violation of this Act or is acting as a dealer or salesman without being duly registered as provided in this Act;
the Commissioner may:

(1) Require or permit such person to file with him, on such forms as he may prescribe, a statement or report in writing, under oath or otherwise, as to all the facts and circumstances concerning the sale of securities within or from this state by such person, and such other data and information as may be relevant and material thereto:

(2) Examine the promoter, seller, broker, negotiator, advertiser or issuer of any such securities, and any agents, employees, partners, officers, directors, members or stockholders thereof, under oath; and examine such records, books, documents, accounts and papers as may be relevant or material to the inquiry. For this purpose the Commissioner shall have power to require by subpoena, summons or otherwise, the presence of such persons for examination.

In case any person shall fail or refuse to file any such statement or report or shall fail or refuse to obey any subpoena or summons of the Commissioner or to give testimony or to answer questions as required, or to produce any books, records, documents, accounts or papers as required, the Commissioner may apply to a court of competent jurisdiction for the issuance and service of a proper subpoena or summons, directing the party so required to appear before the Secretary of State for examination under oath and to produce any books, documents or other things necessary for such examination. Any person failing to comply with such court subpoena or summons may be cited and punished for contempt of court as in such cases provided in the courts of record.

C. INJUNCTION. Whenever it shall appear to the Commissioner from any report or statement filed, from any examination made as provided for in this Act, or from any other source, that any person has engaged in, is engaging in, or is about to engage in any practice declared to be illegal and prohibited by this Act, he may by petition or bill of complaint setting forth the facts and circumstances of the case, bring a suit in equity in the name and on behalf of the State of South Carolina against such person for a writ of injunction, or the appointment of a receiver, or both and the court being satisfied by affidavit or otherwise of the sufficiency of said application and the

truth of the allegations contained in the petition or bill, and upon such notice as the court may by order direct, may proceed in a summary way to hear the affidavits, proof and allegations which may be offered on behalf of the parties, and if upon such inquiry it shall appear to the court that any such person has engaged, in, or is engaging in, or is about to engage in any practice or practices declared to be illegal and prohibited by this Act, the court may issue an injunction restraining such person or persons, and any agents, employees, brokers, partners, officers, directors and stockholders thereof, from continuing such practices or engaging therein or doing any acts in furtherance thereof; and the court may also issue an injunction restraining the issuance, sale, offer for sale, purchase or offer to purchase, promotion, negotiation, advertisement or distribution within or from this state of any securities by such person or persons and any agents, employees, brokers, partners, officers, directors or stockholders thereof until the court shall otherwise order. In any action or proceeding brought under the provisions of this Act, the State shall be entitled to recover costs, including reasonable solicitor's fees, said costs and solicitor's fees to be paid by the defendant or defendants for the use of the State of South Carolina.

D. IMMUNITY. No person shall be excused from testifying or from producing any book, document, or other thing under his control before the Commissioner upon any investigation or examination, or upon any hearing before the Equity Court and in response to any subpoena or summons in this Act mentioned, upon the ground that his testimony or the book, document or other thing required of him may tend to incriminate him or to convict him of a crime or to subject him to punishment or penalty of forfeiture; but no person shall be prosecuted, punished or subjected to any penalty of forfeiture for or on account of any act, transaction, matter or thing concerning which he shall have been so compelled to testify under oath; provided that no person so testifying shall be exempt from prosecution or punishment for perjury if committed by him in his testimony.

E. RECEIVER. Whenever the Equity Court shall issue any injunction provided for in this section against any person, it may appoint a receiver with power to sue for, collect, receive and take into his possession all the goods and chattels, right and credits, moneys and effects, land and tenements, books, records, documents, papers, choses in action, bills, notes and property of every description, derived by means of any practice declared to be illegal and prohibited by this Act, including also all property with which such property has been

mingled, if such property cannot be identified in kind because of such comingling, and sell, convey and assign the same, and hold and dispose of the proceeds thereof under the direction of the said court for the equal benefit of all who establish an interest therein by reason of the use and employment by the defendant of any practices herein declared to be illegal and prohibited; and the court shall have jurisdiction of all questions arising in said proceedings and may make such orders and decrees therein as justice and equity shall require.

§ 19. Remedies.—Every sale made in violation of any of the provisions of this Act shall be voidable at the election of the purchaser; and the person making such sale and every director, officer or agent of or for such seller, if such director, officer or agent shall have personally participated or aided in any way in making such sale, shall be jointly and severally liable to such purchaser in an action at law in any court of competent jurisdiction upon tender of the securities sold or of the contract made for the full amount paid by such purchaser, with interest, together with all taxable court costs (and reasonable attorney's fees); provided, that no action shall be brought for the recovery of the purchase price after two years from the date of such sale and, provided further, that no purchaser otherwise entitled shall claim or have the benefit of this section who shall have refused or failed within thirty days from the date thereof to accept an offer in writing of the seller to take back the security in question and to refund the full amount paid by such purchaser, together with interest on such amount for the period from the date of payment by such purchaser down to the date of repayment, such interest to be computed:

(a) In case such securities consist of interest-bearing obligations, at the same rate as provided in such obligations; and

(b) In case such securities consist of other than interest-bearing obligations, at the rate of six per centum per annum; less, in every case, the amount of any income from said securities that may have been received by such purchaser.

§ 20. Penalty.—(a) Whoever violates any provision of this Act, upon conviction thereof shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than three years, or by both such fine and imprisonment; but an affirmative showing that an act or omission which constituted a violation occurred in good faith and on reasonable grounds for believing it not to be a violation, shall relieve from the penalty prescribed in this subsection.

(b) Whoever, for the purpose of procuring the registration of any security by notification or by qualification or for the purpose of procuring the registration of any dealer or salesman, shall knowingly make any false statement or shall make or cause to be made any false representation of a material fact to the Commissioner shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment in the State prison for not less than one year nor more than five years, or by fine of not more than one thousand dollars (\$1,000.00), or by both such fine and imprisonment.

(c) Whoever engages in this State in making of fictitious or pretended sales or purchases, or who causes the making of fictitious or pretended sales or purchases, or who engages in the offer of fictitious or pretended sales or purchases of any securities within the meaning of this Act, the actual delivery of which securities is not to follow such sale, shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment in the State prison for not less than one year, nor more than five years, or by fine of not more than five thousand dollars (\$5,000.00), or by both such fine and imprisonment.

§ 21. Statutory or common law remedies.—Nothing in this Act shall limit any statutory or common law right of any person to bring any action in any court for any act involved in the sale of securities, or the right of the state to punish any person for any violation of any law.

§ 22. Appeals.—An appeal may be taken by any person interested from any final order of the Commissioner to the Circuit Court of the county in which the applicant resides, by serving upon the Commissioner, within twenty days after notice of the entry of such order, a written notice of such appeal stating the grounds upon which a reversal of such final order is sought; a demand in writing for a certified transcript of the record and of all papers on file in his office affecting or relating to such order and executing a bond in the penal sum of five hundred dollars (\$500.00) to this state, with sufficient surety, to be approved by the Commissioner or the Court, conditioned upon the faithful prosecution of such appeal to final judgment, and the payment of all such costs as shall be adjudged against the appellant. Thereupon the Commissioner shall within ten days make, certify and file with the Clerk of said Court such a transcript, or in lieu thereof the original papers if the Court shall so order; and the appellant shall within five days thereafter file the same and a copy of the notice of appeal with the Clerk of said Court, which said

notice of appeal shall stand as appellant's complaint and thereupon said cause shall be entered on the trial calendar of said Court for trial de novo and shall be given precedence by the Court over other matters pending in said Court. The Court shall receive and consider evidence, whether oral or documentary, concerning the order of the Commissioner from whom the appeal is taken. If the order of the Commissioner shall be reversed, said Court shall by its mandate specifically direct said Commissioner as to his further action in the matter, including the making and entering of any order or orders in connection therewith, and the conditions, limitations or restrictions to be therein contained, provided that the Commissioner shall not thereby be barred from thereafter proceeding against such person for any proper cause which may thereafter accrue or be discovered. If said order shall be affirmed, said appellant shall not be barred after thirty days from filing a new application, provided such application is not otherwise barred or limited. Such appeal shall not in anywise suspend the operation of the order appealed from during the pendency of such appeal unless upon proper order of the Court. An appeal may be taken to the Supreme Court from the judgment or decree of the Circuit Court in the same manner as other appeals are taken to that Court, provided such appeal shall not operate as a supersedeas or stay of the decree or judgment from which such appeal is taken.

§ 23. Validity of portions of act.—If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

§ 24. Short title.—This Act may be cited as the South Carolina Securities Act.

§ 25. Repeal.—Subject to the limitations provided in subdivisions (a), (b), and (c) of this section, Sections 8114 to 8136, both inclusive, Code of Laws of South Carolina, 1932, and all Acts or parts of Acts inconsistent herewith, are hereby repealed.

(a) The provisions of all laws which are repealed by this Act shall remain in force for the prosecution and punishment of any person who, before the effective date of this Act, shall have violated the provisions of any law in force at the time of such violation, and such person may be prosecuted and punished under the law as it existed when such violation occurred.

(b) In the case of sales, contracts, or agreements made prior to the effective date of this Act, the civil rights and liabilities of the parties thereto shall remain as provided by the law as it existed at the time such sales, contracts, or agreements were made and all parts of laws repealed by this Act shall remain in force for the enforcement of such rights and liabilities.

(c) All securities which shall have been admitted to record and recorded in the register of qualified securities, as provided by the said Act hereby repealed, prior to the effective date of this Act, shall be legally salable unless otherwise ordered by the Commissioner.

(d) All proceedings pending before the Insurance Commissioner under the law hereby repealed shall be continued and brought to final conclusion under the provisions of the Act in force at the time that the proceedings were brought. *Provided*, The Insurance Commission is authorized to expend not exceeding \$4250.00 to carry out the provision of this Act.

§ 26. **Time of taking effect.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 28th day of October, 1936.

(4)

No. 2.

AN ACT to Terminate the Terms of Office of the Trustees of Union School District No. 29, in Clarendon County; to Provide for Election of Trustees in Said District; and to Prescribe Their Terms of Office; and to Provide for the Filling of Vacancies in the Board of Trustees of Said School District.

Section 1. Trustees, Union School District No. 29, Clarendon County—terms ended.—Be it enacted by the General Assembly of the State of South Carolina: That the terms of office of the Trustees of Union School District No. 29, in Clarendon County, are hereby ended and terminated.

§ 2. **Number—term.**—That there shall be three (3) trustees of Union School District No. 29, in Clarendon County, who shall be elected as is hereinafter provided. That except, as is herein provided for the initial terms of office, the term of office of each of the said trustees shall be for a period of three (3) years, and until his respective successor shall have been elected and qualified.

§ 3. Election—terms—time.—That there shall be an election on the third Tuesday in February, 1937, of three trustees of Union School District No. 29, in Clarendon County, to serve for the terms as follows;

One, the person receiving the highest majority vote in said election, until the first Tuesday in March, 1940, and until his successor shall have been elected and qualified; one, the person receiving the second highest majority vote in said election, until the first Tuesday in March, 1939, and until his successor shall have been elected and qualified; and one, the person receiving the third highest majority vote in said election, until the first Tuesday in March, 1938, and until his successor shall have been elected and qualified. That upon the expiration of the term of office of any of said trustees or his successors, an election of a successor of such trustee shall be held in said County and said School District on the first Tuesday in March of the year in which such term terminates.

§ 4. Election—notice—county board of education supervise—votes receive to elect.—Notice of the time, place and purpose of such elections shall be given by posting the same in at least three conspicuous places in said school district for at least two weeks prior to the date of election, or by publishing said notice in a newspaper published and circulated in Clarendon County in at least two weekly issues prior to the date fixed for the election. The trustees shall be elected from the qualified electors of said district. The elections shall be held under the supervision and direction of the county board of education; the board shall appoint the managers of the election, make all necessary preparation for the holding of the same, receive and canvass the returns and declare the result thereof. Before any of the trustees shall be declared elected he must have received a majority of the votes cast at such election. Should for any reason the election be not held on the date named herein or should it become necessary to hold a subsequent election, or elections, until the successful person shall receive a majority vote, the county board of education is hereby authorized and empowered to order the same, to fix the date thereof, and to give such notice as in its judgment will give the voters of said district reasonable notice of the time, place and purpose of such election, and shall have full power and authority to provide for the holding thereof, as is conferred for the holding of the election on the dates herein specified, and where applicable the same regulations shall govern for the holding and declaring of the result. At any such election only qualified voters re-

siding in said district shall be allowed to vote. Unless otherwise specifically provided herein, the law, rules and regulations governing the holding of general elections in this State shall obtain in the elections herein authorized to be held. *Provided*, That notice of the election herein provided to be held on the third Tuesday in February, 1937, shall be one week instead of two weeks as above provided for the elections thereafter, or one newspaper publication instead of two.

§ 5. **Expenses—vote without paying taxes—vacancies.**—Any necessary expense incurred by the county board of education in holding any of the said elections, shall be paid out of the school funds of said district: *Provided*, That in such elections the voters shall be allowed to vote without any requirement as to the payment of poll or other taxes. In case of a vacancy in the Board of Trustees, the county board of education shall make the appointment to fill the unexpired term.

§ 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 7. This Act to take effect upon its approval by the Governor.

Approved the 29th day of January, 1937.

(5)

No. 3.

AN ACT to Repeal Section 2972 of the Code of Laws of South Carolina, 1932, Providing for a Service Officer for Williamsburg County, and to Abolish Such Office.

Section 1. § 2972, 1932 Code, repealed—service officer, Williamsburg County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2972 of the Code of Laws of South Carolina, 1932, providing for a Service Officer for Williamsburg County, be and the same is hereby repealed.

§ 2. That the office of Service Officer for Williamsburg County be and the same is hereby abolished.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of January, 1937.

(7)

No. 4.

AN ACT to Terminate the Terms of Office of the Trustees of New Zion School District No. 15, in Clarendon County; to Provide for the Election of Trustees in Said District and to Provide for the Filling of Vacancies in the Board of Trustees of Said School District; and to Prescribe Their Terms of Office.

Section 1. Trustees, New Zion School District No. 15, Clarendon County—terms ended.—Be it enacted by the General Assembly of the State of South Carolina: That the terms of office of the Trustees of New Zion School District No. 15, in Clarendon County, are hereby ended and terminated.

§ 2. Number—term.—That there shall be three (3) trustees of New Zion School District No. 15, in Clarendon County, who shall be elected as is hereinafter provided. That except, as is herein provided for the initial terms of office, the term of office of each of the said trustees shall be for a period of three (3) years, or until their respective successor shall have been elected and qualified.

§ 3. Election—time—terms.—That there shall be an election on the third Tuesday in February 1937, of three trustees of New Zion School District No. 15, in Clarendon County, to serve for the terms as follows: One, the person receiving the highest majority vote in said election, until the first Tuesday in March, 1940, or until his successor shall have been elected and qualified; one, the person receiving the second highest majority vote in said election, until the first Tuesday in March, 1939, or until his successor shall have been elected and qualified; and one, the person receiving the third highest majority vote in said election, until the first Tuesday in March, 1938, or until his successor shall have been elected and qualified. That upon the expiration of the term of office of any of said trustees or his successors, an election of a successor of such trustee shall be held in said County and said School District on the first Tuesday in March of the year in which such term terminates.

§ 4. Election—notice—county board of education supervise—votes receive to elect.—Notice of the time, place and purpose of such elections shall be given by posting the same in at least three conspicuous places in said school district for at least two weeks prior to the date of election, or by publishing said notice in a newspaper published and circulated in Clarendon County in at least two weekly issues prior to the date fixed for the election. The trustees shall

be elected from the qualified electors of said district. The elections shall be held under the supervision and direction of the county board of education; the board shall appoint the managers of the election, make all necessary preparation for the holding of the same, receive and canvass the returns and declare the result thereof. Before any trustees shall be declared elected he must have received a majority of the votes cast at such election. Should for any reason the election be not held on the date named herein or should it become necessary to hold a subsequent election, or elections, until the successful candidate shall receive a majority vote, the county board of education is hereby authorized and empowered to order the same, to fix the date thereof, and to give such notice as in its judgment will give the voters of said district reasonable notice of the time, place and purpose of such election, and shall have full power and authority to provide for the holding thereof, as is conferred for the holding of the election on the dates herein specified, and where applicable the same regulations shall govern for the holding and declaring of the result. At any such election only qualified voters residing in said district shall be allowed to vote. Unless otherwise specifically provided herein, the law, rules and regulations governing the holding of general elections in this State shall obtain in the elections herein authorized to be held. *Provided*, that notice of the election herein provided to be held on the third Tuesday in February 1937, shall be one week instead of two weeks as above provided for the elections thereafter or one newspaper publication instead of two.

§ 5. Expenses—vote without paying taxes—vacancies.—Any necessary expense incurred by the county board of education in holding any of the said elections, shall be paid out of the school funds of said district: *Provided*, That in such elections the voters shall be allowed to vote without any requirement as to the payment of poll or other taxes. In case of a vacancy in the board of trustees, the county board of education shall make the appointment to fill the unexpired term.

§ 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 7. This Act to take effect upon its approval by the Governor.

Approved the 29th day of January, 1937.

(12)

No. 5.

AN ACT to Repeal Act No. 707 of the Acts of the General Assembly of the State of South Carolina, 1936, Entitled, "An Act to Create a County Constable Commission for Pickens County, to Prescribe Its Powers and Duties, to Provide for the Appointment of Constables in Said County, Prescribe Their Powers and Duties and Provide Their Compensation; and to Repeal Acts Nos. 83 and 334 of the Acts of the General Assembly of the State of South Carolina for the Year 1933." Approved March 27, 1936, and Relating to County Constable Commissions for Pickens County.

Section 1. Act 707, 1936 Acts, repealed—Pickens County constable commission.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 707 of the Acts of the General Assembly of South Carolina for the year 1936, entitled, "An Act to Create a County Constable Commission for Pickens County, to Prescribe Its Powers and Duties, to Provide for the Appointment of Constables in Said County, Prescribe Their Powers and Duties and Provide for Their Compensation; and to Repeal Acts Nos. 83 and 334 of the Acts of the General Assembly of the State of South Carolina for the Year 1933", approved March 27, 1936, and relating to County Constable Commissions for Pickens County, be, and the same is hereby repealed.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 3rd day of February, 1937.

(19)

No. 6.

AN ACT to Amend Act No. 1298 of the Acts of the General Assembly, South Carolina, 1936, Approved February 26, 1936, and Entitled "An Act Creating the Saluda County Agricultural Building Authority, Empowering Said Authority to Borrow Funds for the Erection of an Agricultural Building and Providing a Levy for the Payment of Same"; so as to Provide Further for the Borrowing of Money by the Saluda County Agricultural Building Authority Under the Terms of Said Act, and to Provide that the Construction of a

Saluda County Agricultural Building Provided for in Said Act Shall Include the Purchase and Installation of a Heating Plant for Said Building.

Section 1. Act 1298, 1936 Acts, amended—duties and powers of Saluda County agricultural building authority.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 1298 of the Acts of the General Assembly, South Carolina, 1936, approved February 26, 1936, and entitled “An Act Creating the Saluda County Agricultural Building Authority, Empowering Said Authority to Borrow Funds for the Erection of an Agricultural Building and Providing a Levy for the Payment of Same”, be, and the same is hereby, amended by striking out the words and figures “two thousand (\$2,000.00) dollars” on line 4 of Section 2 of said Act, and inserting in lieu thereof the words and figures “three thousand one hundred (\$3,100.00) dollars”. That said Act be amended further by adding at the end of Section 2 thereof the following: “That the word ‘construct’, as used above shall be construed to mean and include the purchase and installation of a heating plant for the Saluda County Agricultural Building”.

§ 2. Acts confirmed.—That any and all Acts of the Saluda County Agricultural Building Authority in anticipation of the enactment into law of this amendment to said Act No. 1298, be, and the same is hereby, confirmed, approved, and validated.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 3rd day of February, 1937.

(22)

No. 7.

AN ACT to Fix the Compensation of Circuit Court Jurors of Bamberg County

Section 1. Compensation of circuit court jurors, Bamberg County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the approval of this Act Grand and Petit Jurors, serving as such in the Circuit Courts of Bamberg County, shall each be paid three (\$3.00) dollars per day, and mileage at the rate now fixed by law.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 5th day of February, 1937.

(25)

No. 8.

AN ACT to Amend Section 3818, Code of Laws of South Carolina, 1932, Relating to the Election of County Supervisor, Term of Office, Etc., so as to Increase the Term of Office of the County Supervisor for Bamberg County.

Section 1. § 3818, 1932 Code, amended—term of supervisor, Bamberg County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3818, Code of Laws of South Carolina, 1932, relating to the election of County Supervisor, term of office, etc., be, and the same is hereby amended by striking out the word "Bamberg" on line five (5) of said section and by adding the following proviso after the word "qualified" on line seven (7) of said section: "*Provided, Further, That, after the expiration of the present term, the term of office of the County Supervisor of Bamberg County shall be for a term of four (4) years and until his successor shall have been elected and qualified*"; so that said section when so amended shall read as follows:

"Section 3818: Except as hereinafter provided in this chapter, there shall be in each of the counties of this State a county supervisor, who shall be elected by the qualified electors of the respective counties, and whose term of office shall be for four years and until his successor shall have been elected and qualified: *Provided, That the term of office of the county supervisor of the counties of Berkeley, Calhoun and York shall be for two years and until their successors shall have been elected and qualified: Provided, Further, That after the expiration of the present term, the term of office of the County Supervisor of Bamberg County shall be for a term of four (4) years and until his successors shall have been elected and qualified. Provided Further, That there shall be elected by the qualified electors of Abbeville County two men, who shall be known as sub-supervisors of said County, who shall hold their offices for the term of four years and until their successors shall have been elected and qualified. The said sub-supervisors shall each receive a salary of two hundred dollars per year, payable monthly, as the salaries*

of other county officers are paid, and said sub-supervisors shall assist the county supervisor in the management of the affairs of the county, and a majority of the board shall approve all claims against the county before the same can be paid."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed;

§ 3. That Act shall take effect upon its approval by the Governor.

Approved the 5th day of February, 1937.

(26)

No. 9.

AN ACT to Terminate the Terms of Office of All School Trustees in Pickens County; to Provide for the Election of All School Trustees in Said County and to Prescribe Their Terms of Office.

Section 1. School trustees, Pickens County—term of incumbents.—Be it enacted by the General Assembly of the State of South Carolina: That the terms of office of all school trustees in Pickens County shall terminate on February 27, 1937.

§ 2. **Number—elect—term.**—That the Board of Trustees of each of the school districts in Pickens County shall consist of three members, who shall be elected by the qualified voters of their respective school districts. That, except as is herein provided for the initial terms of office, the term of office of each of the said trustees shall be for a period of six years and until their respective successors shall have been elected, and qualified.

§ 3. **Election—terms.**—On the last Saturday in February, 1937, there shall be an election in each of the several school districts in said county, for the purpose of electing the school trustees of the respective districts. The terms of office of the trustees so elected shall be in their respective districts as follows: The one receiving the highest number of votes, for a period of six years, and until his successor shall have been elected and qualified, the one receiving the second highest number of votes for a period of four years and until his successor shall have been elected and qualified, and the one receiving the third highest number of votes for a period of two years and until his successor shall have been elected and qualified.

§ 4. **Election—vacancies.**—That on the second Saturday in February, 1939, and on the second Saturday in February of every

second year thereafter, there shall be an election held in the said school districts for the purpose of electing successors to the trustees whose terms of office expire during the year in which such elections are held, and to fill any vacancy that may exist in the board of trustees of the respective school districts. That at such election the person receiving the highest number of votes in the respective districts shall be declared elected; and, in case in any district there be two offices to be filled by such election, the person receiving the highest number of votes shall be declared elected to fill the longer term and the person receiving the second highest number of votes shall be declared elected to fill the other term; and, should there be all three offices to be filled, the person receiving the third highest vote shall be declared elected to fill the shortest term to be filled.

§ 5. Vacancies.—In case of a vacancy in the board of trustees of any of said school districts caused by death, resignation or otherwise, the Superintendent of Education of said county shall fill such vacancy by appointment of a resident of the school district in which such a vacancy exists, and the person so appointed shall hold office until the 2nd Saturday of February of the year in which an election of a school trustee is to be held under the provisions of this Act and until his successor shall have been elected and qualified. That the term of office of the trustee elected as a successor to the trustee who was appointed as above provided shall be until the fifteenth day of February of the year in which the term of office of the trustee whose place the appointed trustee filled would have terminated under the provisions of this Act.

§ 6. Election—notice—place—managers—ballots.—Notice of the elections to be held on the last Saturday in February, 1937, shall be given by the Superintendent of Education of said county by the publication thereof in some newspaper published in said county for at least one week prior to the date of said elections, and notice of all other elections to be held under the provisions of this Act shall be given by the said Superintendent of Education by publication thereof in some newspaper published in said county for at least two weeks prior to the date of the elections. That any election held under the provisions of this Act shall be at one of the school houses in the district wherein said election is being held, same to be designated by the Superintendent of Education of said county. That in carrying out the provisions of this Act, the said Superintendent of Education shall appoint the managers of said elections and furnish

them a sufficient number of ballots to be used in said elections, receive in writing the returns of the managers, declare the results thereof and notify the persons elected thereat. That the Superintendent of Education of said county, upon the receipt of the returns of the managers of said elections, shall file the same in his office, thereupon the same shall become a public record.

§ 7. **Election—tie vote.**—That in case of a tie in any election held under the provisions of this Act the Superintendent of Education of said county is hereby authorized and directed to break the tie by adding one vote to the number of votes received by one of the tying persons, to be, in his discretion, selected by him, and, upon so doing, the person to whose votes the said Superintendent of Education added the vote shall be in the same position as if he had received at said election one more vote than he did receive at said election.

§ 8. **Provisions govern elections.**—Unless otherwise specifically provided herein, the law, rules and regulations governing the holding of general elections in in this State shall obtain in the elections herein authorized to be held.

§ 9. **Time term start.**—That the trustees elected under the provisions of this Act shall take office on the first Monday in March of the year in which they shall have been elected.

§ 10. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 11. This Act shall take effect upon its approval by the Governor.

Approved the 5th day of February, 1937.

(28)

No. 10.

AN ACT to Amend an Act No. 5 of the Acts of the General Assembly of South Carolina, 1935, Entitled: "An Act to Amend Sections 118-140 Inclusive of the Code of Laws of South Carolina, 1932, Relating to County Court of Greenville County, so as to Increase the Jurisdiction of the County Court in Civil Matters, so as to Abolish the Office of County Solicitor, to Strike Out All Section or Parts of Sections Relating to the Trial of Criminal Cases and the Criminal Jurisdiction, to Provide for the Appointment of an Assistant to the Circuit Court Solicitor, and to Further Provide for the Regulation,

Jurisdiction and Conduct of the County Court of Greenville County; Known as Act No. 876 of the Acts of 1934, Approved the 7th. Day of April, 1934, so as to Re-establish and Invest the County Court of Greenville County With Criminal Jurisdiction, to Provide for the Appointment or Election of a County Solicitor, His Remuneration, Term of Office, to Provide for the Regulation, Jurisdiction and Conduct of the Business of the Criminal Part of the County Court of Greenville County, and to Provide for Terms of Said Court: To Provide the Manner of the Selection of the Judge of Said Court and to Define His Powers, Duties and Jurisdiction, and Otherwise Provide for the Conduct of the Business of the Court in Civil and Criminal Matters'', Approved the 25th. Day of January, 1935, so as to Further Provide for the Selection and Election of the County Solicitor, Describe His Term of Office and His Remuneration.

Whereas, by Section 19 of an Act approved January 25, 1935, a County Solicitor for Greenville County was authorized to be elected by the Legislative Delegation of Greenville County to serve until the ensuing General Election, said Act providing that at the said ensuing election a Solicitor should be elected for a term of four years to serve as County Solicitor for Greenville County, and

Whereas, in accordance with said Act, a Solicitor was duly elected by the Greenville County Delegation and did serve until the General Election in 1936, and

Whereas, in the Democratic Primary for Greenville County in 1936, a nomination was made for County Solicitor to run in the General Election in 1936, and Hubert E. Nolin, Esquire, of Greenville S. C., was duly nominated in said Democratic Primary, but by error his name was not placed on the ticket in the General Election in 1936, in Greenville County: now

Section 1. Act 5, 1935 Acts, amended—Greenville County solicitor—term—salary—election.—Be it enacted by the General Assembly of the State of South Carolina: That Act No 5 of the Acts of the General Assembly of South Carolina, 1935, entitled: "An Act to Amend Sections 118-140 Inclusive of the Code of Laws of South Carolina, 1932, Relating to County Court of Greenville County, So As to Increase the Jurisdiction of the County Court in Civil Matters, So As to Abolish the Office of County Solicitor, to Strike out all Sections or Parts of Sections Relating to the Trial

of Criminal Cases and the Criminal Jurisdiction, To Provide for the Appointment of an Assistant to the Circuit Court Solicitor, and to Further Provide for the Regulation, Jurisdiction and Conduct of the County Court of Greenville County; Known as Act No. 876 of the Acts of 1934, Approved the 7th. Day of April, 1934, So As to Re-establish and Invest the County Court of Greenville County with Criminal Jurisdiction, to Provide for the Appointment or Election of a County Solicitor, His Remuneration, Term of Office, to Provide for the Regulation, Jurisdiction and Conduct of the Business of the Criminal Part of the County Court of Greenville County, and to Provide for Terms of Said Court: To Provide the Manner of the Selection of the Judge of said Court and to Define his Powers, Duties and Jurisdiction, and Otherwise Provide for the Conduct of of the Business of the Court in Civil and Criminal Matters", Approved the 25th. day of January, 1935, be, and the same is hereby amended by striking out all of Section 19 of said Act and inserting in lieu thereof the following to be known as Section 19: to wit:

"There shall be selected by the Legislative Delegation a County Solicitor from the members of the Greenville Bar to prosecute all criminal cases before the County Court, to serve until January 1, 1941, and until his successor is elected and qualified. That the successors to the County Solicitor selected by the Legislative Delegation, as herein provided, shall hold office for terms of four (4) years and until their respective successors shall have been elected and qualified. The successors of the County Solicitor selected by the Legislative Delegation, as herein provided, shall be elected in the General Election in Greenville County in the year 1940 and every fourth year thereafter, in like manner as other County officers are elected. The salary of the County Solicitor shall be One Thousand Nine Hundred Eighty (\$1,980.00) Dollars a year payable monthly by the County Treasurer upon the warrant of such County Solicitor.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 5th day of February, 1937.

(31)

No. 11.**AN ACT to Provide for the Appointment of County Attorney for Lancaster County by the Legislative Delegation of Said County.**

Section 1. Appointment of Lancaster County attorney.—Be it enacted by the General Assembly of the State of South Carolina: That the County Attorney for the County of Lancaster shall hereafter be appointed by a majority of the Legislative Delegation of the said County.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed;

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5th day of February, 1937.

(34)

No. 12.**AN ACT to Provide for the Appointment of Magistrates' Constables in Pickens County and to Prescribe Their Duties and to Provide for Payment for Their Services.**

Section 1. Magistrates' constables, Pickens County—appointment.—Be it enacted By the General Assembly of the State of South Carolina: That each Magistrate in Pickens County is hereby authorized and directed to appoint a Constable for the purpose of serving all civil and criminal processes and to perform such other duties as may be required of him by law.

§ 2. **Compensation.**—That such Magistrates' Constables shall receive as compensation for their services as such Constable such fees as are allowed by law.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 5th day of February, 1937.

(36)

No. 13.

AN ACT to Provide for a County Board of Education for Lexington County Composed of Three Members and to Provide Compensation of the Members of the Board, and to Terminate the Present Board.

Section 1. Lexington County board of education—appointment—term.—Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Education of Lexington County shall consist of three members, one of whom shall be the County Superintendent of Education, Ex Officio, the other two shall be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly from Lexington County. They shall hold office for a period of three (3) years from the date of their appointment. Upon the appointment of the said Board as provided in this Act, the terms of office of the present members of the County Board of Education other than, the County Superintendent of Education are hereby declared terminated and ended, and their duties devolved upon the Board herein created.

§ 2. Compensation.—The Compensation of the appointive members of the Board shall be provided for and fixed in each annual Lexington County Supply Bill.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 4th day of February, 1937.

(39)

No. 14.

AN ACT to Authorize and Empower the Treasurer of Charleston County to Borrow Funds to Meet the Payment of Principal or Interest on Any Outstanding Obligation of Charleston County, or Any Political Subdivision Thereof, in Anticipation of Taxes Levied for Such Purposes and to Further Authorize Said Treasurer to Pledge Said Taxes and the Full Faith and Credit of Charleston County to the Payment of Such Loans.

Section 1. Charleston County borrow pay principal or interest on outstanding obligations.—Be it enacted by the General Assembly of the State of South Carolina: Whenever there shall not be available

sufficient funds to meet the payment of the principal or interest of any outstanding obligation of Charleston County or any of its political subdivisions, the treasurer of Charleston County be, and he is hereby authorized and empowered to borrow in anticipation of taxes levied for such purposes a sum sufficient to meet the punctual payment thereof.

§ 2. **Issue notes—pledge.**—Such loans shall be evidenced by the note or notes of Charleston County executed in behalf of Charleston County by the Treasurer of Charleston County, to the payment of which shall be pledged the taxes levied for such purposes and the full faith and credit of political subdivision in which the taxes for the payment of such obligation are levied.

§ 3. **Senator and majority members House of Representatives approve.**—The approval in writing of the Senator and a majority of the members to the House of Representatives from Charleston County shall be first obtained.

§ 4. All Acts or parts of Acts inconsistent herewith are repealed to the extent of such inconsistency.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 5th day of February, 1937.

(40)

No. 15.

AN ACT to Fix the Compensation of Circuit Court Jurors for Hampton County.

Section 1. Compensation of circuit court jurors, Hampton County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the approval of this Act the Grand and Petit Jurors serving as such in the Circuit Courts of Hampton County, shall each be paid two (\$2.00) dollars per day and mileage at the rate now fixed by law.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5th day of February, 1937.

(41)

No. 16.

AN ACT to Amend Section 5410 of the Code of Laws of South Carolina, 1932, so as to Make Applicable the Provisions of Sections 5407, 5408 and 5409, Relating to Kindergarten Schools, in the County of Aiken.

Section 1. § 5410, 1932 Code, amended—Aiken County eliminated.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5410 of the Code of Laws of South Carolina, 1932, be and the same is hereby amended by striking out the word "Aiken" where it appears in said Section so that when so amended the same shall read as follows:

"Section 5410. The terms of the three preceding sections shall not apply to the counties of Sumter, York, Greenwood, Bamberg, Abbeville, Saluda, Lee, Jasper, Chesterfield and Williamsburg."

§ 2. This Act shall become effective immediately upon its approval by the Governor.

Approved the 5th day of February, 1937.

(44)

No. 17.

AN ACT to Provide for a System of Road Districts in Barnwell County and for the Appointment of a Board of County Managers and for the Appointment of Their Successors; and to Repeal Certain Sections of the Code and of Act 992 of the Acts of 1934, Relating to the Affairs of Barnwell County.

Section 1. Road districts, Barnwell County.—Be it enacted by the General Assembly of the State of South Carolina: That the county of Barnwell is hereby divided into six road districts as follows: District No. 1 to comprise the township of Barnwell; District No. 2 to comprise the townships of Great Cypress and Georges Creek; District No. 3 to comprise the township of Blackville; District No. 4 to comprise the townships of Williston and Rosemary; District No. 5 to comprise the townships of Richland and Red Oak; District No. 6 to comprise the townships of Four Mile and Bennett Springs.

§ 2. County managers — term — appointment — vacancy.—A board of county managers of Barnwell County is hereby created, consisting of six members, one from each of the road districts provided for in Section 1 of this Act, whose term of office shall be for four

years and until their successors are appointed and qualify. The members of said board shall be appointed by the Governor, upon the written recommendation of the Legislative Delegation from said County. Any vacancy or vacancies caused by death, resignation, or otherwise, of any member or members of such board of county managers, shall be filled by appointment of the Governor, only upon the written recommendation of the Legislative Delegation from Barnwell County. In making the original appointments, and in case of a vacancy or vacancies, should the Governor not appoint within ten (10) days after receipt of the written recommendation of the Legislative Delegation, said person or persons as shall be recommended by the Legislative Delegation, shall assume office and perform the duties thereof with all the power and authority he or they would have had, if duly appointed and commissioned by the Governor. No Senate confirmation shall be deemed necessary.

§ 3. §§ 3991 and 3992, 1932 Code, and § 13, Act 992, 1934 Acts, repealed.—Sections 3991 and 3992, Volume II, of the Code of 1932, and Section 13, of Act No. 992, of 1934, are hereby specifically repealed.

§ 4. Powers and duties of county managers.—The board of county managers hereby created is clothed with all the power and authority heretofore devolved upon the old board of county commissioners, of Barnwell County and the old board of county directors under any and all existing statutes.

§ 5. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 6. This Act shall take effect immediately upon its approval by the Governor.

This act became effective when the Governor, to whom it was presented the 9th day of February, 1937, neither approved it nor returned it to the house in which it originated within three days, the General Assembly being in session.

(45)

No. 18.

AN ACT to Prescribe that an Insane Person Who is Not Confined in the State Hospital for the Insane or in Any Other Place of Confinement Shall Appear by Guardian Ad Litem in Actions by or Against Him, to Prescribe how Such Guardian Ad Litem Shall be Appointed, and to Confirm and Validate Such Appointments Heretofore Made.

Section 1. Insane person not confined appear by guardian ad litem in actions—appointment of guardian ad litem—appointments confirmed.—Be it enacted by the General Assembly of the State of South Carolina: That an insane person who is not confined in the State Hospital for the Insane or in any other place of confinement shall appear by guardian ad litem in an action by or against him. When the insane person is a plaintiff, the guardian ad litem shall be appointed upon application made by his committee or by a relative or friend and, if by a relative or friend, notice thereof must first be given to his committee, or, if he has no committee, to the person with whom he resides. When the insane person is a defendant, the guardian ad litem shall be appointed upon application made by his committee, if he has a committee and he apply within twenty (20) days after the service of the summons, or, if his committee neglect or fail to apply within the time aforesaid or if he has no committee, by a relative or friend or any other party to the action, and, if by a relative or friend or other party to the action, notice thereof must first be given to his committee or, if he has no committee, to the person with whom he resides. The application shall be made to and the appointment shall be made by the court in which the action is prosecuted or by a judge or the clerk or the master thereof or by the judge of the court of probate for the county in which the insane person resides or for the county in which the action is prosecuted. If the insane person resides out of the State, or is temporarily absent therefrom, a guardian ad litem may be appointed by an order nisi, in accordance with the practice relating to infants, as set forth in Section 402, Code of Laws of South Carolina 1932. All such appointments heretofore made are hereby validated and confirmed.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 12th day of February, 1937.

(47)

No. 19.

AN ACT to Amend an Act Entitled "An Act to Provide for Returns for Taxation; to Promote and Encourage the Early Payment Thereof, Etc." in Bamberg County, Designated as Act No. 306 of the Acts of the General Assembly for the Year 1933, so as to Repeal the Provisions Allowing Discounts on Taxes Paid Before Certain Dates.

Section 1. Act 306, 1933 Acts, amended—discount on taxes, Bamberg County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2 of an Act entitled “An Act to Provide for Returns for Taxation; to Promote and Encourage the Early Payment Thereof; to Provide for the Payment of Delinquent Taxes and Taxes Assessed for the Year 1933 and Succeeding Years in Installments in Bamberg County”, approved May 8, 1933 and designated as Act No. 306 of the Acts of the General Assembly for the year 1933, be, and the same is hereby repealed.

§ 2. **Same.**—That the following proviso appearing at the end of Section 6-a of the above mentioned Act, to-wit: “*Provided, That any discount on the State’s portion of the taxes collected shall be absorbed by the County so that no discount shall be allowed on State taxes*”, be, and the same is hereby repealed, and that the said Section as so altered shall read as follows:

“Section 6-a: No additional expense shall be devolved upon the State of South Carolina for printing of additional books, receipts or other records made necessary by this Act, and all such expenses shall be borne by the County.”

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 12th day of February, 1937.

(48)

No. 20.

AN ACT to Abolish the Fees for Satisfaction of Chattel and Real Estate Mortgages in Abbeville County.

Section 1. No charge satisfy mortgages, Abbeville County.—Be it enacted by the General Assembly of the State of South Carolina: There shall be no charge for the satisfaction of chattel and real estate mortgages by the Clerk of Court or Register of Mesne Conveyance for Abbeville County.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 12th day of February, 1937.

(49)

No. 21.

AN ACT to Authorize the County of Abbeville to Purchase Necessary Equipment to do Power Terracing; to Organize an Agricultural Board to Control Such Equipment; to Authorize the Use of Same for the Benefit of the Landowners of Abbeville County; to Authorize a Levy on Lands Terraced to be Collected by the County Treasurer of Abbeville County.

Section 1. County co-operative soil conservation association board, Abbeville County—duties.—Be it enacted by the General Assembly of the State of South Carolina: That there shall be created for the County of Abbeville, a County Co-Operative Soil Conservation Association Board, consisting of five members to be selected from the Abbeville County Co-Operative Soil Conservation Association, who shall be paid a per diem of three (\$3.00) dollars each, not exceeding twelve meetings in any year. The term of office shall be one year, from the 8th day of December, 1936. The Board shall elect a Treasurer, who shall be under bond, the amount to be determined by the Board. The Treasurer shall keep the books and accounts of the Board. The books of the Treasurer shall be audited periodically by a public accountant upon order of the County Delegation, or a majority thereof.

The duties of the said Association Board shall be to promote the control of erosion within Abbeville County and to promote such other farm practices as will tend towards the improvement of the farm land and the increase of the taxable value.

§ 2. Purchase of tractor and terracer confirmed—county issue notes.—The action of the Board of the said Association in purchasing for Abbeville County one Caterpillar Model RD 6, wide gauge tractor, with twenty (20) inch track shoes, and one Caterpillar # 2 Terracer, for the sum of Three Thousand Seven Hundred and Seventy (\$3,770.00) Dollars, on the 14th day of November, 1936, from Jeff Hunt Road Machinery Company, Columbia, South Carolina, is hereby confirmed and ratified in all respects, and the County Treasurer of Abbeville County is authorized to issue two (2) notes for the payment thereof, to Jeff Hunt Road Machinery Company, Columbia, South Carolina, or order. One note to be dated the 1st day of January, 1937, and payable on the 1st day of January, 1938, in the sum of Eighteen Hundred and Eighty-five (\$1,885.00) Dollars, and one note to be dated the 1st day of January, 1937, and payable on the 1st day of January, 1939, in the sum of Eighteen Hundred

and Eighty-five (\$1,885.00) Dollars, with interest on both of said notes from date at the rate of six (6%) per cent. per annum.

§ 3. **Board contract terrace lands—charge.**—The said Association Board will direct the work of the terracing program, enter into contracts with farmers for the terracing of their lands, and contract with the farmers for the use of other heavy duty equipment in a co-operative manner. In entering into these contracts the price per hour charged farmers will be such that not less than \$1.00 per hour can be repaid to the County Treasurer for the purpose of liquidating the payment of the herein stated notes. In arriving at the additional charge, the price per hour shall be such that the labor, cost, fuel, grease and repairs shall be taken care of. The sum of \$1.00 per hour to be repaid to the County Treasurer and such additional charges to cover the actual expenses with no profit or surplus accruing to said Association, except to build up a replacement fund.

§ 4. **Disposition of equipment and funds.**—At the expiration of this work, the time to be determined by the Board of said Association, all equipment so owned by the said Association shall be delivered to the County Supervisor to be used for general County work and all funds on hand and in the hands of the Treasurer shall be paid to the County Treasurer to be placed in the General County Funds.

§ 5. **Pledge pay notes.**—That there shall be pledged for the payment of said notes, in addition to the full faith and credit of Abbeville County, the \$1.00 per hour charged as herein stated and which said fund shall be turned over by the Treasurer of the Association Board to the County Treasurer, who shall deposit same in a separate sinking fund to meet the payment of said notes as and when they mature and to be used for no other purpose.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.

Approved the 15th day of February, 1937.

AN ACT to Ratify an Amendment to Section 32, Article 3, of the State Consitution, so as to Confer Upon the General Assembly Power to Extend Financial Assistance or Care to Needy Persons.

Section 1. Amendment to Article III, § 32, State Constitution, ratified—General Assembly may extend financial assistance or care to certain persons.—Be it enacted by the General Assembly of the State of South Carolina: That the amendment to Section 32, of Article 3, of the Constitution of South Carolina of 1895, proposed under the terms of the Joint Resolution entitled, "A Joint Resolution Proposing an Amendment to Section 32, of Article 3 of the Constitution of South Carolina of 1895 so as to Empower the General Assembly of the State of South Carolina to Enact Legislation to Provide for the Care of or Extend Financial Assistance to Needy Individuals Under Certain Conditions," having been submitted to the qualified Electors of the State at the General Election for Representatives, held next after the passage of said Resolution, and a majority of the Electors qualified to vote thereon in said election, having voted in favor of said amendment, the said amendment is hereby ratified and declared to form a part of the Constitution of this State and said section 32, of Article 3 of the Constitution shall read as follows:

Section 32: The General Assembly shall not authorize payment to any person of the salary of a deceased officer beyond the date of his death; not grant pensions for military and navy service; nor retire any officer on pay or part pay. Provided, However, the General Assembly may provide for the care of or extend financial assistance to needy dependent children under the age of sixteen who would otherwise be deprived of support and care, and to persons who are blind, and to needy individuals who have obtained the age of sixty-five years and who, by reason of age or other infirmities, are unable to support themselves and would otherwise suffer; that any adult person making application for such assistance must show that he or she has been a resident in the State of South Carolina for at least five of the last nine years, and has resided therein continuously for one year immediately preceding the date of such application, but that no individual aided under this provision shall receive more than Thirty (\$30.00) Dollars per month from any public funds.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 12th day of February, 1937.

(53)

No. 23.

AN ACT to Authorize the Town of Darlington, Darlington County, South Carolina, to Issue Certificates Evidencing the Indebtedness Due to the Said Town of Darlington for Taxes and Paving Assessments Due and Unpaid by Taxpayers and Property Owners of the Town of Darlington, South Carolina, and to Sell, Hypothecate, or Pledge Said Certificates and Upon Such Sale, Hypothecation, or Pledge to Assign the Same and in the Name of the Town of Darlington to Guarantee the Payment Thereof.

Section 1. Town of Darlington issue certificates evidencing indebtedness due it for past due and unpaid taxes and paving assessments—sell, hypothecate or pledge such certificates—payment.—Be it enacted by the General Assembly of the State of South Carolina: The Town of Darlington, Darlington County, is hereby authorized and empowered, from time to time, to issue its certificates evidencing the amount of taxes and paving assessments, or portions thereof, which may have been levied against property in the Town of Darlington, Darlington County, South Carolina, and which are past due and unpaid, and to sell, hypothecate or pledge said certificates, and upon such sale, hypothecation or pledge to assign the same, and to guarantee in the name of the Town of Darlington to the holder thereof the payment of the indebtedness evidenced thereby, at a place and time designated in such guarantee; *Provided, However,* That when the taxes and paving assessments evidenced by said certificates are collected they shall be applied solely to the retirement of the same until all of said certificates are retired in full; and, *Provided, However,* That in the event at any time sufficient of the said due and unpaid taxes and paving assessments have not been collected to meet the payment to the holder of such certificates, of the amount which is to be paid under the guarantee endorsed on said certificates at the time such guarantee provides for payment, the Town of Darlington shall forthwith levy and collect a tax upon all taxable property in the Town of Darlington, which, added to the collection made on such due and unpaid taxes and paving assessments, will make a sum sufficient to meet the payment of the amount due on the certificates then maturing. Such certificates shall have attached to them interest coupons certifying that the Town of Darlington will pay to the holder thereof the amount of interest therein stated, which interest shall be fixed by the Town Council in the Ordinance authorizing the is-

suance of said certificates, and to meet the payment of said interest there shall be included in the general tax levy of each year in which such interest is due, as a part of the ordinary expenses of Town Council, a sufficient tax to meet the payment thereof. The guarantee of the Town of Darlington endorsed on said certificates shall provide the date on which the holder of said certificates may require payment thereof, and such time shall be fixed as in the opinion of the Town Council it is probable that the collection of said due and unpaid taxes and paving assessments will enable the same to be paid. The certificates and the guarantee and assignment endorsed thereon shall be signed, respectively, by the Mayor and Town Treasurer under the seal of the Town of Darlington, and the interest coupons attached to said certificates shall be signed with the facsimile signature of the Town Treasurer lithographed or engraved thereon.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 12th day of February, 1937.

(54)

No. 24.

AN ACT to Terminate the Terms of Office of All School Trustees in Oconee County; to Provide for the Election and Selection of All School Trustees in Said County and to Prescribe Their Terms of Office.

Section 1. School trustees, Oconee County—terms of incumbents terminate March 1, 1937.—Be it enacted by the General Assembly of the State of South Carolina: That the terms of office of all school trustees in Oconee County shall terminate on March 1st, 1937.

§ 2. **Number—elect—term.**—That the Board of Trustees of each of the school districts in Oconee County shall consist of three members, who shall be elected by the qualified voters of their respective school districts. That, except as is herein provided for the initial terms of office, the term of office of each of the said trustees shall be for a period of three years and until their respective successors shall have been elected and qualified.

§ 3. **Election—terms.**—On the last Saturday in February, 1937, there shall be an election in each of the several school districts in said County, for the purpose of electing the school trustees of the respective districts. The terms of office of the trustees so elected shall

be in their respective districts as follows: The one receiving the highest number of votes, for a period of three years, and until his successor shall have been elected and qualified, the one receiving the second highest number of votes for a period of two years and until his successor shall have been elected and qualified, and the one receiving the third highest number of votes for a period of one year and until his successor shall have been elected and qualified.

§ 4. Election—time—vacancy—votes necessary elect—terms.—That on the last Saturday in February, 1938, and on the last Saturday in February of every year thereafter, there shall be an election held in the said school districts for the purpose of electing successors to the trustees whose terms of office expire during the year in which such elections are held, and to fill the vacancy that may exist in the board of trustees of the respective school districts. That at such election the person receiving the highest number of votes in the respective districts shall be declared elected; and, in case in any district there be two offices to be filled by such election, the person receiving the highest number of votes shall be declared elected to fill the longer term and the person receiving the second highest number of votes shall be declared elected to fill the other term; and, should there be all three offices to be filled, the person receiving the third highest vote shall be declared elected to fill the shortest term to be filled.

§ 5. Vacancy.—In case of a vacancy in the board of trustees of any of said school districts caused by death, resignation, or otherwise, the superintendent of Education of said county shall fill such vacancy by appointment of a resident of the school district in which such a vacancy exists, and the person so appointed shall hold office until the first day of March of the year in which an election of a school trustee is to be held under the provisions of this Act and until his successor shall have been elected and qualified. That the term of office of the trustee elected as a successor to the trustee who was appointed as above provided shall be until the first day of March of the year in which the term of office of the trustee whose place the appointed trustee filled would have terminated under the provisions of this Act.

§ 6. Election—notice—place—managers—ballots—return.—Notice of the elections to be held on the last Saturday in February, 1937, shall be given by the Superintendent of Education of said county by the publication thereof in some newspaper published in said

county for at least one week prior to the date of said elections, and notice of all other elections to be held under the provisions of this Act shall be given by the said Superintendent of Education by publication thereof in some newspaper published in said county for at least two weeks prior to the date of the elections. That any election held under the provisions of this Act shall be at one of the school houses in the district wherein said election is being held, same to be designated by the Superintendent of Education of said county. That in carrying out the provisions of this Act, the said Superintendent of Education shall appoint the managers of said elections and furnish them a sufficient number of ballots to be used in said elections, receive in writing the returns of the managers, declare the results thereof and notify the persons elected thereat. That the Superintendent of Education of said county, upon the receipt of the returns of the managers of said elections, shall file the same in his office, thereupon the same shall become a public record.

§ 7. Election—tie vote.—That in case of a tie in any election held under the provisions of this Act the Superintendent of Education of said county is hereby authorized and directed to break the tie by adding one vote to the number of votes received by one of the tying persons, to be, in his discretion, selected by him, and, upon so doing, the person whose votes the said Superintendent of Education added the vote shall be in the same position as if he had received at said election one more vote than he did receive at said election.

§ 8. Laws and rules and regulations applicable—expenses.—Unless otherwise specifically provided herein, the law, rules and regulations governing the holding of primary elections and the eligibility of voters therein in this State shall obtain in the elections herein authorized to be held. The expenses of such election shall be paid from the incidental fund of each district.

§ 9. Time terms start.—That the trustees elected under the provisions of this Act shall take office on the first day of March of the year in which they shall have been elected.

§ 10. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 11. This Act shall take effect upon its approval by the Governor.
Approved the 12th day of February, 1937.

(56)

No. 25.**AN ACT to Authorize the Auditor of Williamsburg County to Destroy Worthless and Useless Records and Papers.**

Section 1. Auditor destroy certain records, Williamsburg County.—Be it enacted by the General Assembly of the State of South Carolina: The County Auditor of Williamsburg County is authorized and empowered, in his discretion, to destroy worthless and useless and out of date records and papers which may be placed in his care and custody.

§ 2. This Act shall take effect upon its approval by the Governor.
Approved the 12th day of February, 1937.

(57)

No. 26.**AN ACT to Provide a Dog License Tax in Charleston County, to Provide for the Return, Payment and Collection Thereof, to Provide for the Enforcement of This Act, and for the Disposition of the Proceeds of Said Tax.**

Section 1. Dog license tax, Charleston County—amount—return—collection.—Be it enacted by the General Assembly of the State of South Carolina: There shall be levied on all dogs, irrespective of age, in the county of Charleston, an annual license tax of one and 25/100 dollars (\$1.25). Every dog shall be returned or listed with the county auditor at the same time and in like manner as personal property is now listed, and the license tax thereon shall be collected at the same time and place as property taxes are now collected, and shall be in lieu of all other property tax, or license by municipalities.

§ 2. Dogs not licensed or returned.—There shall exist no property or other right in or to any dog whose owner shall fail to list or return for the payment of said license or whose owner shall fail to pay the license tax thereon within the time prescribed by law, and all dogs which are not licensed are hereby declared to be nuisances and a menace to the health and property of the people of Charleston County.

§ 3. County board of health appoint agents enforce.—To the end that every dog in Charleston County shall be licensed, the County Board of Health for Charleston County may appoint such agent or agents as they may deem necessary for the purpose of taking a census of all dogs in Charleston County, and listing same with the

county auditor. Said agent or agents shall also be authorized to collect the license tax and penalty and otherwise enforce the penalties herein provided in case said license tax shall not have been paid within the time provided by law.

§ 4. Penalty for failure return dog—impound and kill dogs.—The owner of any dog who shall fail to make return of said dog for licensing as herein provided, shall be liable to a further penalty of one and 25/100 (\$1.25) dollars for failure to make such return, and the agent or agents herein provided for are hereby authorized and directed to kill or impound any dog whose owner shall fail to pay the license tax herein provided for. In case any dog shall be impounded, the same shall be kept for a period of from three to ten days, in the discretion of the impounding officer and then killed, unless the owner thereof, or some other person shall pay the license tax and penalty herein provided.

§ 5. Use of license taxes.—The said board of health shall pay the expenses of such census and the enforcement of this Act out of the proceeds of such taxes as may be collected under the provisions of this Section. The balance of said license taxes collected in accordance with this Section shall be credited to the County Board of Health of Charleston County to be used for health work purposes.

§ 6. Enforcement.—At the expiration of the time for listing or returning said dogs for the payment of license taxes thereon, the county auditor shall furnish to the agents appointed by the Board of Health, a list of the owners of all dogs who have made the return herein required, which list shall also state the number of dogs returned by each individual owner. It shall be the duty of the County Board of Health to enforce this Act, as well as that of every Magistrate, constable, peace and police officer in said County, and all dogs seized by them under the provisions of this Act shall be delivered to the Board of Health for disposition as herein provided.

§ 7. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 8. This Act shall take effect immediately upon its approval by the Governor.

Approved the 12th day of February, 1937.

(58)

No. 27.

AN ACT to Amend an Act, Entitled "An Act to Amend Sections 2610, 2611 and 2612 of the Code of Laws of South Carolina, 1932, so as to Exempt Counties of Charleston and Kershaw From the Provisions Thereof", Approved April 16th, 1934, Being Act No. 942 of the Acts of 1934, by Eliminating Charleston County From the Exemption Therein Provided.

Section 1. §§ 2610, 2611, 2612, 1932 Code, amended—**Charleston County eliminated from exemption therein.**—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of "An Act to Amend Sections 2610, 2611 and 2612 of the Code of Laws of South Carolina, 1932, so as to exempt Counties of Charleston and Kershaw from the Provisions thereof", approved April 16th, 1934, being Act No. 942 of the Acts of 1934, be, and the same is hereby, amended by striking out the words "counties of Charleston and" on the fifth line of said section and inserting in lieu thereof the words "County of"; and by striking out the words "Counties of Charleston and" on the nineteenth line of said section and inserting in lieu thereof the words "County of"; so that said section when so amended shall read as follows:

"Section 1: That Section 2612, Code of Laws of South Carolina, 1932, be, and the same is hereby amended by adding at the end thereof the following proviso: *Provided, Further,* That this and the two Sections next preceding, shall not apply in the County of Kershaw, so that when amended said Section shall read as follows:

'Every owner of a dog shall be required to collar and place the aforesaid dog license upon the said collar, except when such dog shall be used for the purpose of hunting, when such dog shall be upon a chase or hunt, *Provided,* That this and the preceding Section shall not apply in the counties of Darlington, Georgetown, Lee, Berkeley, Chesterfield, Aiken, Orangeburg, York, Lexington, Fairfield, Florence, Clarendon, Saluda, Edgefield, Williamsburg, Dillon, Oconee, Beaufort, Greenwood, Laurens and Spartanburg. *Provided,* That this section shall not apply to Dorchester County. *Provided, Further,* That this and the two preceding sections shall not apply in the counties of McCormick and Marion. *Provided, Further,* That this and the two sections next preceding shall not not apply in the County of Kershaw.'"

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 12th day of February, 1937.

(60)

No. 28.

AN ACT to Provide an Office in the Clarendon County Court House for the War Veterans' Service Officer.

Section 1. Office room for American Legion service officer, Clarendon County.—Be it enacted by the General Assembly of the State of South Carolina: The office room in the Clarendon County Court House, now occupied by the American Legion Service Officer at Manning, may continue to be so occupied by him and his successors so long as service in the presentation and adjustment of their claims and other rights as such is thereby furnished to the veterans of all wars, resident within the County.

§ 2. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(61)

No. 29.

AN ACT to Amend Section 977 of the Code of Laws of South Carolina, 1932, as Amended by Act No. 403 of the Acts of the General Assembly, 1933, Entitled "An Act to Amend Section 977, Code of Laws of South Carolina, 1932, so as to Provide that in Georgetown and Marion Counties the Foreman of the Grand Jury Shall Have the Authority and Power to Swear Witnesses" and Approved June 12, 1933; Act No. 135 of the Acts of the General Assembly, 1935, Entitled "An Act to Amend Section 977, Vol. 1, Code of Laws of South Carolina, 1932, as Amended by Act 403 of the General Assembly of South Carolina, 1933, Entitled 'An Act to Amend Section 977, Code of Laws of South Carolina, 1932, so as to Provide that in Georgetown and Marion Counties the Foreman of the Grand Jury Shall Have the Authority and Power to Swear Witnesses', Approved June 12, 1933; so as to Provide that in Anderson County the Foreman of the Grand Jury Shall Have the Authority and Power to Swear Witnesses" and Approved April 5, 1935; and Act No. 948 of the Acts of the

General Assembly, 1936, Entitled "An Act to Amend Section 977 of the Code of Laws of South Carolina, 1932, Providing for the swearing of Witnesses by the Foreman of the Grand Jury, so as to Provide for the Application of the Provisions of Said Section in the Counties of Aiken, Bamberg and Barnwell" Approved May 30, 1936; so as to Provide that Witnesses may be Sworn by the Foreman of the Grand Jury in Anderson, Marion and Georgetown Counties.

Whereas Section 977 of the Code of Laws of South Carolina, 1932, provides that the Foreman of the Grand Jury may swear witnesses in the Grand Jury Room in all Counties in this State except those Counties excepted from the provisions of this Act, and

Whereas by Act No. 403 of the Acts of the General Assembly, 1933, Georgetown and Marion Counties were eliminated from the excepted class set out in said Section, and

Whereas by Act No. 135 of the Acts of the General Assembly, 1935, Anderson County was eliminated from the said excepted class set out in said Section, and

Whereas by Act No. 948 of the Acts of the General Assembly, 1936, other Counties were eliminated from the excepted class set out in said Section and the Acts eliminating Anderson, Georgetown and Marion Counties from said excepted class were ignored, and said Act No. 948 set out said Section 977 with Anderson, Marion and Georgetown Counties in the said excepted class, and

Whereas it is desired that in Anderson, Georgetown and Marion Counties the foreman of the Grand Jury shall have the right to swear witnesses, and

Whereas there is some question that by said Act No. 948 the law was made as to whether or not the foreman of the Grand Jury has such rights in said Counties, *Now, Therefore:*

Section 1. § 977, 1932 Code, amended—foreman of grand jury swear witnesses, Anderson, Georgetown, and Marion Counties.—Be it enacted by the General Assembly of the State of South Carolina: That Section 977 of the Code of Laws of South Carolina, 1932, as amended by Act No. 403 of the Acts of the General Assembly, 1933, Entitled: "An Act to Amend Section 977, Code of Laws of South Carolina, 1932, so as to Provide That in Georgetown and Marion Counties the Foreman of the Grand Jury Shall have the Authority and Power to Swear Witnesses", approved June 12, 1933;

Act No. 135 of the Acts of the General Assembly, 1935, entitled: "An Act to Amend Section 977, Vol. I, Code of Laws of South Carolina, 1932, as Amended by Act No. 403 of the General Assembly of South Carolina, 1933, Entitled 'An Act to Amend Section 977, Code of Laws of South Carolina, 1932, so as to Provide that in Georgetown and Marion Counties the Foreman of the Grand Jury Shall have the Authority and Power to Swear Witnesses', approved June 12, 1933; so as to Provide that in Anderson County the Foreman of the Grand Jury Shall Have the Authority and Power to Swear Witnesses" approved April 5, 1935; and Act No. 948 of the Acts of the General Assembly, 1936, entitled "An Act to Amend Section 977 of the Code of Laws of South Carolina, 1932, Providing for the Swearing of Witnesses by the Foreman of the Grand Jury, so as to Provide for the Application of the Provisions of Said Section in the Counties of Aiken, Bamberg and Barnwell" approved May 30, 1936, and as set out in said Act No. 948 on page 1750 of the Acts of the General Assembly, 1936, be, and the same is hereby, amended by striking out the words "Anderson" "Georgetown", "Marion" on lines 6 and 7 of said Section 977 as set out on page 1750 of the Acts of 1936; and by adding at the end of said Section (after changing the period to a comma) the following: "this last proviso, however, shall not apply to Anderson County", so that when so amended the said amended section as amended by this Act shall read as follows:

"Section 977. Hereafter the foreman of the grand jury or acting foreman in the circuit courts of any county of the State shall have the authority and power to swear witnesses, whose names shall appear on the bill of indictment, in the grand jury room; Provided, That the provisions of this section shall not apply to Berkeley, Sumter, Newberry, Pickens, Colleton, Lee, Hampton, Lexington, Richland, Greenwood, Kershaw, Saluda and Abbeville Counties: Provided, However, That no witnesses shall be sworn except those who have been bound over or subpoenaed in the manner now provided by law, this last proviso, however, shall not apply to Anderson County."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(62)

No. 30.**AN ACT to Authorize and Empower the Resident Judge of the Thirteenth Judicial Circuit to Appoint a Chief Bailiff for Court of General Sessions and Common Pleas, for Greenville County—Term of Appointment.**

Section 1. Chief bailiff for court of general sessions and common pleas, Greenville County—appointment—term.—Be it enacted by the General Assembly of the State of South Carolina: That the Resident Judge of the Thirteenth Judicial Circuit be authorized and empowered to appoint a Chief Bailiff for the Court of General Sessions and Common Pleas for Greenville County; the said Chief Bailiff shall have no definite term of office but shall serve during the pleasure of the said Resident Judge and shall be removable by the said Resident Judge with or without cause.

§ 2. Other bailiffs—appointment—term.—There shall be only three bailiffs for said Court of General Sessions and Common Pleas, two to be appointed by the sheriff, and the third, the Chief Bailiff, to be appointed by the Judge as hereinabove set forth: *Provided*, That the Resident Circuit Judge or the Presiding Circuit Judge is hereby empowered to order the Sheriff to appoint as many special bailiffs as, in the opinion of said Judge, may be necessary for any emergency: *Provided, Further*, That when the said Court of General Sessions and Common Pleas shall adjourn sine die, the duties of all bailiffs shall cease: *Provided, However*, the Resident or Presiding Judge, shall have the authority to call the Chief Bailiff on duty at any time, either before or after the adjournment of Court, when said Judge shall deem his services necessary.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(63)

No. 31.**AN ACT to Amend Subdivision 8, Section 2874, Code of 1932, so as to Increase the Bond of the Tax Collector for Florence County from Ten Thousand (\$10,000.00) Dollars to Twenty Thousand (\$20,000.00) Dollars, and to Make the Same Re-**

sponsible for the Faithful Performance of the Duties of All Deputy Tax Collectors Serving Under the Said Tax Collector.

Section 1. § 2874, 1932 Code, amended—bond of tax collector, Florence County—amount—liability.—Be it enacted by the General Assembly of the State of South Carolina: Amend Sub-division 8 of Section 2874, Code of Laws, 1932, by striking out the words and figures “ten thousand (\$10,000.00) dollars” and inserting in lieu thereof the words and figures, “twenty thousand (\$20,000.00) dollars”, and by adding after the word “duty” on line 3 of the said sub-division the words “and all or any of the Deputy Tax Collectors serving under him”, so that said sub-division when so amended shall read as follows:

“Sub-division 8: Before taking office, the tax collector in the said county, shall give bond in the usual form in the sum of twenty thousand (\$20,000.00) dollars conditioned for the faithful performance of his duties and of the duties of any and all of the deputy tax collectors serving under him. This bond shall be in the form as now prescribed for the sheriff of said county.”

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(68)

No. 32.

AN ACT to Fix the Fees of the Clerk of Court of Clarendon County for Issuing and Filing Orders of Reference and Orders Appointing Guardian Ad Litem.

Section 1. Fees of clerk of court issue and file orders of reference and orders appointing guardian ad litem, Clarendon County.—Be it enacted by the General Assembly of the State of South Carolina: The fees of the Clerk of Court for Clarendon County shall be as now provided by law, except for issuing and filing orders of reference and orders appointing guardian ad litem shall be twenty-five (25¢) cents each.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(69)

No. 33.

AN ACT to Enable the Sinking Fund Commission of Cherokee County to Pay Over to the County Treasurer of Cherokee County, South Carolina, Certain Funds to be Credited to the General School Funds of Schools Districts Nos. 6, 10, and 13, Cherokee County, S. C., and to Provide for Future Settlements of School Funds.

Section 1. Sinking fund commission pay county treasurer \$668.51 for School District No. 6, Cherokee County.—Be it enacted by the General Assembly of the State of South Carolina: That the Sinking Fund Commission of Cherokee County, State of South Carolina, be and are hereby authorized to pay over to the County Treasurer of Cherokee County the sum of Six Hundred Sixty-eight and 51/100 (\$668.51) Dollars, to be credited by the said County Treasurer to the general school fund of School District No. 6, Cherokee County, S. C., it appearing that the said sum represents an accumulated surplus of receipts derived from taxes levied in said School District to retire an issue of Thirty-five Hundred Dollars of school bonds issued by said School District in the year 1915, which matured and were paid in full by the said Sinking Fund Commission in the year 1934.

§ 2. Sinking fund commission pay county treasurer \$41.18 for School District No. 10.—That the said Sinking Fund Commission of Cherokee County, South Carolina, be and are hereby authorized to pay over to the County Treasurer of Cherokee County, S. C., the sum of Forty-one and 18/100 (\$41.18) Dollars, to be credited by the County Treasurer to the general school fund of School District No. 10, Cherokee County, S. C., said sum represents an accumulated surplus of proceeds in the hands of the said Sinking Fund Commission, paid to retire an issue of Thirty Thousand Dollars of school bonds issued by said School District in the year 1913, and which matured and were paid by the said Sinking Fund Commission in the year 1933.

§ 3. Sinking fund commission pay county treasurer \$93.52 for School District No. 13.—That the said Sinking Fund Commission of Cherokee County, S. C., be and are hereby authorized to pay over to the County Treasurer of Cherokee County, S. C., the sum of Ninety-three and 52/100 (\$93.52) Dollars, to be credited by the said County Treasurer to the general school fund of School District No. 13,

Cherokee County, S. C., said sum representing an accumulated surplus of funds received by the said Sinking Fund Commission for the purpose of retiring an issue of Thirty-four Hundred Dollars of bonds issued by said School District in the year 1919, and which matured and were paid by the said Sinking Fund Commission in the year 1934.

§ 4. County treasurer receipt for such funds.—That the County Treasurer of Cherokee County shall receipt the Sinking Fund Commission of Cherokee County, S. C., for the several sums of money aforesaid, and thereupon the Sinking Fund Commission of Cherokee County, S. C., shall be acquitted and discharged from further liability for the sums of money so paid over.

§ 5. Sinking fund commission pay county treasurer surplus funds not needed pay bonds of other school districts—credit funds.—That in the event there shall accumulate in the hands of the Sinking Fund Commission of Cherokee County, S. C., any surplus funds over and above the amounts that may be required to pay and retire bonds of any other school districts in Cherokee County, S. C., the said Sinking Fund Commission shall have authority to pay over to the County Treasurer of Cherokee County, S. C., such surplus funds, to be credited by the County Treasurer to the general school funds of the school districts entitled thereto, and upon such payment or payments, the said County Treasurer shall receipt the Sinking Fund Commission for the same, whereupon the Sinking Fund Commission of Cherokee County, S. C., shall be acquitted and discharged from further liability therefor.

§ 6. School Districts Nos. 6, 10, and 13 receive certain delinquent taxes when collected.—That in the event of the collection of delinquent taxes assessed against property in School Districts Nos. 6, 10, and 13, Cherokee County, S. C., any portion of said delinquent taxes should be applicable to the payment of interest or principal of the school bonds described in Sections 1, 2, and 3 of this Act, the same shall be paid over to the County Treasurer of Cherokee County, S. C., by the Delinquent Tax Collector of Cherokee County, to be credited to the general school fund of the school district entitled thereto, instead of paying the same over to the said Sinking Fund Commission of Cherokee County, S. C.

§ 7. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 8. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(72)

No. 34.**AN ACT to Change the Fiscal Year of Dorchester County**

Section 1. Fiscal year, Dorchester County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the approval of this Act, the Fiscal Year of Dorchester County shall begin on July First of each year and end on June Thirtieth of the following calendar year.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its receipt by the Governor.

Approved the 19th day of February, 1937.

(73)

No. 35.**AN ACT to Provide for an Additional Deputy by the Sheriff of Pickens County**

Section 1. Additional deputy sheriff, Pickens County.—Be it enacted by the General Assembly of the State of South Carolina: That the Sheriff of Pickens County is hereby authorized and empowered to appoint an additional Deputy to those now provided for by law, whose compensation is fixed at One Hundred (\$100.00) Dollars per month, and who shall be allowed expenses of Fifty (\$50.00) Dollars per month, and whose term of office shall begin as of February 1, 1937; *Provided, However,* That authority to appoint and continue in office such additional Deputy is made dependent upon the location and residence of at least one Deputy at each of the following places, namely: Easley, Central and Liberty. In the event of the failure of the Sheriff to provide for a resident Deputy at each of aforementioned places, the Legislative delegation from Pickens County shall have the right to discontinue the services of the additional Deputy provided for under this Act. The bond of such Deputy shall be as provided by law for the other deputies; likewise he shall have the same general powers and duties as provided by the law for

other Deputies in Pickens County. The compensation and expenses of the special Deputy herein provided for shall for the eleven months of the year 1937 be paid from the contingent fund provided for in the County Supply Bill for the year 1937.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(74)

No. 36.

AN ACT to Amend Section 3767, Code of Laws, S. C., 1932, so as to Abolish the Office of the Additional Magistrate in the City of Georgetown, and to Repeal so Much of the Said Section Creating the Same.

Section 1. § 3767, 1932 Code, amended—additional magistrate for city of Georgetown abolished.—Be it enacted by the General Assembly of the State of South Carolina: That the office of the additional magistrate in the city of Georgetown, created and established under the provisions of 3767, Code of Laws, S. C., 1932, be, and the same is hereby, abolished.

§ 2. **Same.**—That Section 3767, Code of Laws of S. C., 1932, be, and the same is hereby, amended by striking out the following provisions thereof, to wit: There shall be an additional Magistrate in the city of Georgetown, to be appointed by the Governor, who shall have the same jurisdiction now conferred by law upon the magistrate in the city of Georgetown but who shall not exercise the powers and duties of his office unless and in the event that the regular magistrate is sick, absent or otherwise disqualified from serving. The salary for such magistrate is fixed at the sum of one hundred (\$100.00) dollars per annum, payable monthly." So that, when so amended, the said Section shall read as follows:

"Section 3767. The office of Magistrate in Lower Waccamaw district, Georgetown County, is hereby abolished. The Magistrates now provided in townships 1, 2, 5 and 6 for Georgetown County are hereby abolished: *Provided*, The Magistrates for Townships 2, 5 and 6 shall hold office until their present terms expire: *Provided*, That all cases now pending before the magistrate in township No. 1 be, and are hereby transferred to the magistrate in the City of Georgetown

and jurisdiction is hereby conferred upon the said magistrate to dispose of the said cases as if they had originally arisen in his jurisdiction. One (1) magistrate shall be appointed for townships 5 and 6 of Georgetown County, whose term of office shall be for two (2) years, and until his successor is appointed and qualified. The salary of the magistrate for the city of Georgetown shall be Seven Hundred (\$700.00) Dollars per annum, payable monthly. The sheriff of Georgetown County shall serve all processes issued by such magistrate."

§ 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(76)

No. 37.

AN ACT to Amend Sub-division I, Section 3780, Code of Laws of South Carolina, 1932, Relating to the Compensation of Magistrates in Pickens County; to Provide for Magistrates at Pumpkin Town; and to Provide for the Appointment of Constables by Each of Said Magistrates and to Declare the Law With Respect to the Compensation of Said Constables.

Section 1. § 3780, 1932 Code, amended—magistrates, Pickens County—salaries—magistrate at Pumpkin Town.—Be it enacted by the General Assembly of the State of South Carolina: That Sub-division 1 of Section 3780, Code of Laws of South Carolina, 1932, be, and the same is hereby amended with respect to the salaries of Magistrates and the number of Magistrates, so that the same when so amended will read as follows:

"Section 3780, Sub-division 1: The magistrates appointed and commissioned in and for the county of Pickens, as compensation for all work done in criminal cases shall receive the following salaries, that is to say: Magistrate at Pickens, Eight Hundreds and Fifty (\$850.00) Dollars; magistrate at Easley, Eleven Hundred (\$1,100.00) Dollars; magistrate at Liberty, Four Hundred and Fifty (\$450.00) Dollars; magistrate at Central, Four Hundred and Fifty (\$450.00) Dollars; magistrate at Six Mile, One Hundred (\$100.00) Dollars; and magistrate at Pumpkin Town, One Hundred (\$100.00) Dollars, which salaries shall be paid monthly by the county

treasurer upon claims made therefor and duly approved by the county board of commissioners for said county.

§ 2. **Magistrate constables—appointment—compensation.**—That each of the said Magistrates are empowered to appoint their Constables, as now provided for under Section 3781, Code of Laws of South Carolina, 1932; and the said Constables shall receive the fees and commissions, as provided for in the said Section 3781.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(77)

No. 38.

AN ACT to Increase the Mileage Allowed the York County Superintendent of Education and to Provide for the Payment of the Salary of the Clerk to the Superintendent of Education for York County Out of the Funds of the York County Board of Education.

Section 1. Mileage allowance for superintendent of education, York County.—Be it enacted by the General Assembly of the State of South Carolina: That the Superintendent of Education for York County shall receive in addition to the salary provided by law five (5¢) cents for each and every mile traveled by him in the discharge of his duties visiting schools in York County; but in no event shall the said sum exceed Four Hundred and no/100 Dollars (\$400.00) in any one year.

§ 2. **Funds use pay clerk for superintendent of education.**—The York County Board of Education is authorized and directed to pay the salary of the clerk in the office of the York County Superintendent of Education's office, in the amount of Thirteen Hundred Fifty and no/100 Dollars (\$1,350.00) out of the funds of the said York County Board of Education.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(82)

No. 39.**AN ACT to Change the Fiscal Year of Newberry County.**

Section 1. Fiscal year, Newberry County.—Be it enacted by the General Assembly of the State of South Carolina: From and after the passage of this Act the fiscal year of Newberry County shall begin on July 1 of each year and end on June 30 of the following calendar year.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(83)

No. 40.

AN ACT to Repeal Sections 4610, 4611, 4612, 4613, 4614, and 4615 of the Code of Laws of South Carolina, 1932, Relating to Commutation Tax in Marion County and to Amend Section 5862, Code of Laws of South Carolina, 1932, so as to Provide that There Shall be No Commutation Tax in Marion County.

Section 1. § 5862, 1932 Code, amended—Marion County exempted.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5862, Code of Laws of South Carolina, 1932, be, and the same is hereby, amended by adding at the end of said Section the following:

“Provided, further, that the provisions of this Section shall not apply to persons in Marion County and such persons shall not be liable for any Commutation Tax” so that said Section when so amended shall read as follows:

“Section 5862: Except as otherwise provided in this Code, all male persons able to perform the labor herein required, from the age of eighteen to fifty years, both inclusive, except in Anderson, Pickens, and Union Counties, where the age shall be from twenty-one to fifty years, both inclusive, and except in Sumter County, where the age shall be from eighteen to fifty-five, both inclusive, and except in the counties of Abbeville and York, where the ages shall be from twenty-one to fifty-five, both inclusive, shall be required annually to perform labor on the highways under the direction of the overseer of the road district in which he shall reside, in the various counties as follows:

Anderson, three days; Cherokee, three days, Pickens, five days: *Provided*, Persons liable to labor under this section shall have the right to furnish a competent substitute to labor in his stead: *Provided, further*, Ten hours a day shall be a day's work: *Provided, further*, that the provisions of this Section shall not apply to persons in Marion County and such persons shall not be liable for any Commutation Tax."

§ 2. No effect on 1936 road tax.—That nothing in this Act shall be construed to effect the liability of persons in Marion County for Commutation Road Tax for the year 1936.

§ 3. §§ 4610-4615, 1932 Code, repealed—road tax, Marion County—effect—further repeal—date act effective.—That Sections 4610, 4611, 4612, 4613, 4614, and 4615 of the Code of Laws of South Carolina, 1932, relating to Commutation Tax in Marion County, are hereby repealed, *Provided*, That the provisions of same shall be continued of force for the purpose of collecting unpaid Commutation Tax in said County for the year 1936. All other Acts or parts of Acts inconsistent with this Act are hereby repealed. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of February, 1937.

(86)

No. 41.

AN ACT to Amend Act No. 62 of the Acts of 1933, Entitled "An Act to Amend Section 7414 of the Code of Laws of South Carolina, 1932, Relating to Taxes Imposed by Towns of Less Than One Thousand Population so as to Provide for the Levy and Collection of Taxes in the Town of Port Royal, and Ratifying the Levy and Collection of Certain Taxes by the Town of Port Royal," so as to Add a Proviso in Regard to the Levy of Taxes in the Town of Cameron in Calhoun County.

Section 1. § 7414, 1932 Code, amended—tax levy, town of Cameron.—Be it enacted by the General Assembly of the State of South Carolina: That Section 7414, Code of Laws of South Carolina, 1932 as amended by Act No. 62 of the Acts of the General Assembly of 1933 be amended by adding the following proviso at the end of said Section: "Provided, further that the Town Council of the Town of Cameron in Calhoun County shall have power by ordinance to impose an annual tax on all real and personal property with-

in the corporate limits of said Town, but such tax shall not exceed sixteen (16) mills or one dollar and sixty cents (\$1.60) on each one hundred (\$100.00) dollars valuation", so that said Section when so amended shall read as follows:

"Section 7414. The said town council shall also have power by ordinance to impose an annual tax upon all real and personal property, within the corporate limits of said town, but such tax must not exceed fifty cents on the one hundred dollars: *Provided*, That Town Council of the towns of Moncks Corner and St. Stephens, in Berkeley County, South Carolina, shall have power by ordinance to impose an annual tax on all real and personal property within the corporate limits of said towns, but such tax must not exceed fourteen mills, provided no increase of said levy above five mills shall be made until the same is submitted to the qualified electors in said towns and approved by them, and it shall also have power, by ordinance, to levy an annual tax upon any business or occupation conducted within the corporate limits. The taxes so levied shall constitute a lien upon the property upon which it is levied paramount to all liens, except the lien for state and county taxes. For the purpose of collecting the same, said town council shall be, and is hereby, empowered to issue executions against all property on the hands of some officer for collection, who shall have all the rights as now conferred upon sheriffs for the enforcement of tax executions: *Provided*, That said licenses shall be granted according to the gross income of the persons, firms or corporations, required to pay such licenses, or upon the amount of capital invested in said business: *Provided, Further*, The town council of the Town of Port Royal shall have power by ordinance to impose an annual tax on all real and personal property within the corporate limits of said town, but such tax shall not exceed twenty mills or two dollars on each one hundred dollar valuation. *Provided, Further*, that the Town Council of the Town of Cameron in Calhoun County shall have power by ordinance to impose an annual tax on all real and personal property within the corporate limits of said Town, but such tax shall not exceed sixteen (16) Mills or one dollar and sixty cents (\$1.60) on each one hundred (\$1.00) dollars valuation."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of February, 1937.

(93)

No. 42.

AN ACT to Amend Act No 54 of the Acts of the General Assembly of South Carolina, 1937, Entitled, "An Act to Terminate the Terms of Office of All School Turstees in Oconee County; To Provide for the Election and Selection of All School Trustees in Said County and to Prescribe Their Terms of Office", Approved February 12, 1937; so as to Further Provide for the Election and Selection of School Trustees in Said County.

Section 1. Act 24, 1937 Acts, amended—election of school trustees, Oconee County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 54 of the Acts of the General Assembly of South Carolina, 1937, entitled, "An Act to Terminate the Terms of Office of all School Trustees in Oconee County; to Provide for the Election and Selection of all School Trustees in said County and to Prescribe their Terms of Office", and approved February 12, 1937, be, and the same is hereby amended by striking out the words, "by the qualified 'voters of'" on line three (3) of Section 2 of the type written Act and inserting in lieu thereof the word "in", so that when so amended said Section 2 of said Act will read as follows:

"Section 2: That the Board of Trustees of each of the School Districts in Oconee County shall consist of three members, who shall be elected in their respective school districts. That, except as is herein provided for the initial terms of office, the term of office of each of the said trustees shall be for a period of three years and until their respective successors shall have been elected and qualified."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 25th day of February, 1937.

(96)

No. 43.

AN ACT to Amend Section 5384, Code of Laws of South Carolina, 1932, by Adding at the End of Subdivision (2) Thereof a Proviso Relating to the Powers of Trustees of the School Districts of Marion County With Reference to the Superintendents, Principals and Teachers of the Schools.

Section 1. § 5384, 1932 Code, amended—powers of school trustees employ and fix salaries of superintendents, principals and teachers, Marion County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5384, Code of Laws of South Carolina, 1932, be and the same is hereby amended, by adding a proviso at the end of subdivision (2) thereof to read as follows:

“Provided, That the trustees of the several school districts of Marion County, now in office or hereafter appointed or elected to such office, or a majority of the board of trustees of each of the several school districts, be and they are hereby vested with the power and authority to employ and fix the salaries of the superintendents, principals and teachers to serve for the scholastic year immediately following the expiration of the terms of office of such trustees.”

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 25th day of February, 1937.

(97)

No. 44.

AN ACT to Amend an Act Designated as Act No. 320 of the Acts of 1935, Entitled “An Act to Amend Section 1 of an Act Entitled ‘An Act Relating to the Appointment of Trustees for Ehrhardt School District No. 22, in Bamberg County’, Designated as Act No. 571, of the Acts of 1916”, so as to Change the Method of Nominating Trustees in Said District.

Section 1. Act 320, 1935 Acts, amended—nomination of trustees, Ehrhardt School District No. 22, Bamberg County.—Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled “An Act to amend Section 1 of an Act entitled ‘An Act Relating to appointment of Trustees for Ehrhardt School District No. 22, in Bamberg County’, Designated as Act No. 571 of the Acts of 1916”, be amended by striking out all of Section 1 of said Act and inserting in lieu thereof the following as Section 1:

The Superintendent of Education for Bamberg County shall issue a call to the citizens residing in Ehrhardt School District No. 22, Bamberg County, for a meeting of such citizens to be held on or before the 15th. day of April in each year, for the purpose of nominat-

ing trustees for said District, the time and place of meeting to be named by said Superintendent, notice of which shall be published in one of the newspapers having circulation in said county, and shall be posted in at least three public places in said District for at least two weeks prior thereto: *Provided*, That in case the said Superintendent shall fail to issue the call for said meeting as herein required, any three patrons of said school may call such meeting by giving notice in the manner herein provided. Any white male citizen of this State who resides within the district and returns real or personal property for taxation, or any *bona fide* resident of said district who is a patron of said school, twenty one years of age or over, shall be eligible to vote, and take part in the proceedings of such meeting. Having assembled pursuant to the call of the said Superintendent or said patrons, said citizens shall elect from their number a chairman who shall preside over the meeting, and a Secretary who shall record all proceedings thereof, and said citizens shall nominate, under such rules of procedure as they shall, by majority vote, adopt, trustees for said district in the following manner: In the year 1937 two trustees shall be nominated, one to serve for a term of two years, and one to serve for a term of five years; and, thereafter, one trustee shall be nominated each year to serve for a term of five years. The said Board of Trustees shall consist of five members. In the event of the death or disability of any trustee, the other members of the said Board of Trustees shall nominate some person to fill out the unexpired term. Said Secretary shall forthwith report the names of those so nominated, certified by the Chairman, to the Board of Education for Bamberg County.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937.

(99)

No. 45.

AN ACT to Amend an Act Entitled "An Act to Amend Section 5474, Code of Laws of South Carolina, 1932, by Adding a Proviso Relating to the Renewal of Contracts for Transportation of School Pupils in Marion County", by Striking Out the Time Limit Contained in Such Proviso.

Section 1. § 5474, 1932 Code, amended—contracts transport school children, Marion County.—Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled “An Act to Amend Section 5474, Code of Laws of South Carolina, 1932, by Adding a Proviso Relating to the Renewals of Contracts for Transportation of School Pupils in Marion County”, be, and the same is hereby amended by striking out of the proviso added by said Act to Section 5474, Code of Laws of South Carolina, 1932, the words, “for not exceeding four years (exclusive of the original period) in any case;” so that said proviso when so amended shall read as follows:

Provided, Further, That in Marion County the County Board of Education may in their discretion renew contracts for transportation of pupils, without competitive bidding, upon the same or such other terms as they may approve, from year to year; but this proviso shall not apply to vacancies due to death or resignation.”

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937.

(102)

No. 46.

AN ACT to Repeal Act No. 629 of the Acts of 1936, Entitled “An Act Prohibiting the State Highway Department From Changing the Location of Highways Nos. 17, 21 and 28 Through the Town of Yemassee or Establishing Any Alternate Route Around Said Town; Providing for Lights and Bells at Grade Crossing in Yemassee,” Approved February 21st, 1936.

Section 1. Act 629, 1936 Acts, repealed—prohibit state highway department change location of highways 17, 21 and 28, etc., town of Yemassee.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 629 of the Acts of 1936, entitled, “An Act Prohibiting the State Highway Department from Changing the Location of Highways Nos. 17, 21 and 28 Through the Town of Yemassee or Establishing any Alternate Route Around said Town; Providing for Lights and Bells at Grade Crossing in

Yemassee", approved February 21st, 1936, be, and the same is hereby, repealed.

§ 2. This Act shall take effect upon its approval by the Governor.
Approved the 25th day of February, 1937.

(103)

No. 47.

AN ACT to Prohibit Fishing by Traps, Nets and Baskets in Cherokee County.

Section 1. Fishing regulated, Cherokee County.—Be it enacted by the General Assembly of the State of South Carolina: *That from and after the passage of this Act it shall be unlawful for any person to use within Cherokee County, or any of the waters thereof, or any of the waters contiguous thereto, any traps, nets and baskets of any description used for the purpose of gathering, hemming or driving fish in any of said waters.*

The word "nets" herein shall be deemed and interpreted to include any and every device in the nature of a net whether made of cotton, hemp, rayon, silk or wire.

But the provisions of this Act shall not prevent use of a circular net commonly called a "landing net" to be used in landing a fish, provided it not be over fourteen inches (14in.) in diameter and eighteen inches (18in.) deep. The said fish shall be caught only with rod and reel, or rod and line, or pole and line, with single bait or lure in the hands of the operator, or by throwing when not more than one lure and line is used by the person throwing: *Provided*, That when the pole and line is used, the fisherman may use not exceeding three poles, provided the same be used in his view, and he is not required to have the same in his hands all of the time: *Provided Further*, That it shall not be unlawful for a person fishing with pole and line to have in his possession and to use at intervals a rod and reel or rod and line.

§ 2. **Infraction of act possess any device described in § 1 hereof.**—The possession of any device of the nature described in Section 1 upon or in the waters of the county aforesaid shall be deemed to be an infraction of this Act.

§ 3. **Penalty.**—Any of the violations of the provisions of this Act shall be deemed a misdemeanor and punishable by a fine of not

more than One Hundred (\$100.00) Dollars or not more than thirty (30) days imprisonment in the discretion of the Court.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937.

(104)

No. 48.

AN ACT to Amend Section 37, Code of Laws of South Carolina, 1932, with Reference to the Powers of Circuit Judges.

Section 1. § 37, 1932 Code, amended—powers of circuit judge temporarily absent from circuit.—Be it enacted by the General Assembly of the State of South Carolina: Amend Section 37 by adding at the end of the first sub-division thereof the following: "*And Provided Further*, That Circuit Judges shall have the power to grant orders and decrees in cases arising in the Circuit in which they may be at the time the presiding Judges therein or resident Judges thereof when they are temporarily absent from the Circuit. *Provided*, That this provision shall not be construed so as to nullify or limit any other powers conferred on Circuit Judges by any one or more provisions of this Section", so that when so amended, the said sub-division of the said section 37 shall read as follows:

"Section 37-Sub-Division 1: All regular and special Judges shall have at chambers in any county within the circuit in which they are resident or in the circuit in which they are assigned to hold Court, all powers and jurisdiction, which they have and exercise in open Court in any county within said circuit, except for the determination of such matters as necessitates trial by jury. They may hear and determine actions for partition and foreclosure suits and all other equity matters concerning real estate whether within or without the county where the land in question lies: *Provided*, In all contested matters the adverse party shall be entitled to notice of the time and place of any hearing at chambers, which notice when not otherwise fixed by statute or rule, shall be at least ten days prior thereto. *And Provided Further*, That no hearing, except with consent, shall be had outside the Judicial Circuit of the judge having jurisdiction; *And Provided Further*, That where the service is made by

publication the ten days' notice of application for judgment may be inserted in the first or any subsequent publication, or mailed at the last known residence of the defendant or defendants: *And Provided Further*, That in all other cases except by consent, and in partition and foreclosure suits and cases where summons are served by publication, the notice of the application for judgment shall not be made until after the time for answering or making return has expired: *And Provided Further*, That Circuit Judges shall have the power to grant orders and decrees in cases arising in the Circuit in which they may be at the time the presiding Judges therein or resident Judges thereof when they are temporarily absent from the Circuit; *Provided*, That this provision shall not be construed so as to nullify or limit any other powers conferred on Circuit Judges by any one or more provisions of this Section."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 25th day of February, 1937.

(105)

No. 49.

AN ACT to Amend Section 1024, Code of Laws of South Carolina, 1932, Relating to Appeals from Magistrates' Courts, so as to Provide for Appeals to County Courts.

Section 1. § 1024, 1932 Code, amended—appeal to county court from magistrate court.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1024, Code of Laws of South Carolina, 1932, relating to appeals from Magistrates' Courts, be, and the same is hereby, amended by striking out the period on line 3 thereon after the word "county" and before the word "All" and inserting a colon; and by adding after the word "county" and before the word "All" the following: "*Provided*, That in those Counties where County Courts are now established or which may hereafter be established, appeals in such cases shall be to the County Court for the County", so that said Section when so amended shall read as follows:

"Section 1024: Every person convicted before a magistrate of any offense whatever, and sentenced, may appeal from the sentence to the next term of the Court of General Sessions for the county:

Provided, That in those Counties where County Courts are now established or which may hereafter be established, appeals in such cases shall be to the County Court for the County. All appeals from magistrates' courts in criminal causes shall be taken and prosecuted as hereinafter prescribed.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 25th day of February, 1937.

(106)

No. 50.

AN ACT to Amend Section 794, Code of Laws, 1932, Relating to Appeals from Inferior Courts, Etc., so as to Further Provide for Reference to Appeals from Inferior Courts.

Section 1. § 794, 1932 Code, amended—appeal from certain courts to county court.—Be it enacted by the General Assembly of the State of South Carolina: That Section 794, Code of Laws, 1932, Relating to Appeals from Inferior Courts, etc., be, and the same is hereby, amended by striking out the period on line 13 thereof, after the word "Court" and inserting in lieu thereof a colon: and by adding after the inserted colon following the word "Court" the following: "*Provided*, That in those Counties where County Courts are now established or which may hereafter be established appeals in such cases, except those from the Probate Courts, and those that exceed the jurisdictional amounts of the respective Courts, shall be to the County Court of the County.", so that said Section when so amended, shall read as follows:

"Section 794. When a judgment is rendered by a magistrate's court, by the county commissioners or any other inferior court or jurisdiction, save the Probate Court heretofore provided for in this Code of Procedure, the appeal shall be to the Circuit Court of the county wherein the judgment was rendered, and shall amount to a supersedeas, if the party against whom judgment is rendered shall execute a good and sufficient bond with surety to pay the amount of the judgment and costs in the event that he fail to sustain such appeal, and in all cases in which such bond with surety shall be filed no execution shall issue until the termination of such appeal. The said appeal shall be heard by the court upon all the papers in the

case, including the testimony on the trial, which shall be taken down in writing and signed by the witnesses, and the grounds of exceptions made, without the examination of witnesses in court: *Provided*, That in those Counties where County Courts are now established or which may hereafter be established appeals in such cases, except those from the Probate Courts, and those that exceed the jurisdictional amounts of the respective Courts, shall be to the County Court of the County."

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. That this Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937.

(107)

No. 51.

AN ACT to Ratify an Amendment to Article XI, Section 5 of the Constitution of 1895, Relating to School Districts by Excluding Florence, Abbeville, Orangeburg, Sumter, Union, Darlington, Charleston, Lancaster, Bamberg, Beaufort, Berkeley, Dorchester, Colleton, Dillon, York, Lee, Williamsburg, Horry, Georgetown, Jasper, Chesterfield, Edgefield, and Anderson Counties from the Provisions Relating to Area.

Section 1. Amendment to Article XI, § 5, State Constitution, ratified—area of school districts, Abbeville, Anderson, Bamberg, Beaufort, Berkeley, Charleston, Chesterfield, Colleton, Darlington, Dillon, Dorchester, Edgefield, Florence, Georgetown, Horry, Jasper, Lancaster, Lee, Orangeburg, Sumter, Union, Williamsburg, and York Counties.—Be it enacted by the General Assembly of the State of South Carolina: That the Amendment to Article XI, Section 5 of the Constitution of 1895, proposed under the terms of a Joint Resolution, entitled "A Joint Resolution to Amend Article XI, Section 5, Constitution of 1895, Relating to School Districts by Excluding Florence, Abbeville, Orangeburg, Sumter, Union, Darlington, Charleston, Lancaster, Bamberg, Beaufort, Berkeley, Dorchester, Colleton, Dillon, York, Lee, Williamsburg, Horry, Georgetown, Jasper, Chesterfield, Edgefield and Anderson Counties from the Provisions Relating to Area", having been submitted to the qualified electors of the State at the General Election for Representatives, held next after the passage of said Resolution, and a majority of the

electors qualified to vote thereon in said election having voted in favor of such Amendment, the said Amendment is hereby ratified and declared to form a part of the Constitution of this State and made an Amendment to Article XI, Section 5 of the State Constitution of 1895, in the form and words as follows:

“Provided, Further, That the limits of area of School Districts imposed by this Section shall not apply to Florence, Abbeville, Orangeburg, Sumter, Union, Darlington, Charleston, Lancaster, Bamberg, Beaufort, Berkeley, Dorchester, Colleton, Dillon, York, Lee, Williamsburg, Horry, Georgetown, Jasper, Chesterfield, Edgefield and Anderson Counties, but in said counties School Districts shall be of such area as the General Assembly may prescribe.”

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 25th day of February, 1937.

(108)

No. 52.

AN ACT Authorizing the County Board of Directors of Beaufort County to Lease or Rent Any Public Wharf or Wharves in Beaufort County During the Next Ten Years.

Section 1. Beaufort County during next 10 years may rent public wharves.—Be it enacted by the General Assembly of the State of South Carolina: The County Board of Directors of Beaufort County are authorized and empowered during a period of the next ten (10) years, from the date of this Act, to lease or rent any public Wharf or Wharves in Beaufort County on such terms as they deem best. *Provided, However,* That no lease or rental agreements so made are to extend beyond a period of ten (10) years from the date of this Act.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937.

(110)

No. 53.

AN ACT to Amend an Act Entitled, "An Act to Authorize the Trustees of the School Districts in Chester County to Establish School Bus Routes, to Call for Bids for Drivers to Operate the Same, to Provide for the Letting of Contracts with the Approval of the County Board of Education in Chester County, and to Further Regulate the Same and to Limit the Additional Levy of Special School Taxes"; as Amended by Act No. 961 of the Acts of 1936, Approved the 5th Day of June, 1936, so as to Regulate the Employment of Bus Drivers for Schools in Chester County.

Section 1. Act 961, 1936 Acts, amended—employment of school bus drivers, Chester County.—Be it enacted by the General Assembly of the State of South Carolina: That the second Section 4 of an Act entitled "An Act to Authorize the Trustees of the School Districts in Chester County to Establish School Bus Routes, to call for bids for Drivers to Operate the Same, to Provide for the Letting of Contracts with the approval of the County Board of Education in Chester County, and to further Regulate the Same and to Limit the Additional Levy of Special School Taxes", as amended by Act No. 961 of the Acts of 1936, approved the 5th day of June, 1936, be amended by striking out the following from said second Section 4 the following: "*Provided*, the trustees of any school district of Chester County may employ a bus driver related to any member of the Board of Trustees within the sixth degree, if such employment is approved by a majority of the patrons of the school whose children are transported on said bus; the approval may be given by a petition of a majority of the patrons to the County Board of Education"; so that said second section 4 when amended shall read as follows:

"Section 4: Each successful bidder shall be required to furnish a good, comfortable and acceptable bus and a chassis capable of transporting the children to school on time. If the bidder does not drive the bus then a driver acceptable to the trustees must be furnished; *Provided*, that nothing in this shall be construed to interfere with any school district in Chester County participating in State aid for transportation, and all routes contracted for by the County Board of Education shall be submitted in full description to the State Department of Education for approval".

§ 2. Act 295, 1933 Acts, amended—bus driver related to trustee.—Amend Act No. 295 of the Acts of 1933 further by adding the following Section to said act to be known as Section 5-a;

“Section 5-a: The trustees in any school district of Chester County may employ a bus driver related to any member of the board of trustees within the sixth degree with the approval of the county board of education whose decision in the matter shall be final”.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 25th day of February, 1937.

(112)

No. 54.

AN ACT to Amend Section 1754, Code of Laws of South Carolina, 1932, so as to Fix the Punishment for Hunting Deer at Night.

Section 1. § 1754, 1932 Code, amended—penalty hunt deer at night.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1754, Code of Laws of South Carolina, 1932, be, and the same is hereby amended, by adding at the end thereof the following proviso, to-wit: “*Provided*, that any person convicted of hunting deer at night shall be punished by a fine of not exceeding One Thousand (\$1,000.00) Dollars, or imprisonment of not exceeding one (1) year, or both fine and imprisonment, in the discretion of the Court.” So that said Section, when so amended, shall read as follows:

“Section 1754. There shall be no night hunting in this State except for raccoons, opossums, foxes, mink and skunk, and these may not be hunted with lights, commonly known as head lights, attached to the head or otherwise attached to the body, and the penalty for any violation of this section shall be a fine not exceeding two hundred (\$200.00) Dollars, or imprisonment not exceeding sixty (60) days, *Provided*, that any person convicted of hunting deer at night shall be punished by a fine of not exceeding One Thousand (\$1,000.00) Dollars, or imprisonment of not exceeding one (1) year, or both fine and imprisonment, in the discretion of the Court.”

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 25th day of February, 1937.

(113)

No. 55.

AN ACT to Repeal an Act Entitled "An Act to Require the Licensing of Cow and Hog Buyers in Clarendon County, and Provide for Reports Thereby, Prescribe the Duties of the Magistrates of Said County in Connection Therewith, to Prohibit the Buying of Such Animals After Sunset and Before Sunrise, and to Make Any Violation of the Terms of This Act a Misdemeanor and Prescribe Penalties Therefor", Known as Act No. 884 of the Acts of 1936.

Section 1. Act 884, 1936 Acts, repealed—license required buy cows and hogs, Clarendon County.—Be it enacted by the General Assembly of the State of South Carolina: That Act entitled "An Act to Require the Licensing of Cow and Hog Buyers in Clarendon County, Provide for Reports Thereby, Prescribe the Duties of the Magistrates of Said County in Connection Therewith, to Prohibit the Buying of Such Animals After Sunset and Before Sunrise, and to Make Any Violation of the Terms of this Act a Misdemeanor and Prescribe Penalties Therefor", be and the same is hereby repealed, said Act being No. 884 of the Acts of 1936.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor. Approved the 25th day of February, 1937.

(66)

No. 56.

AN ACT to Amend Section 3486, Code of Laws of South Carolina, 1932, Relating to the Appointment and Term of Office of Deputy Sheriffs, so as to Provide for the Appointment and Approval of the Deputy Sheriff of Charleston County, and the Term of Office and Manner of Removal of Such Deputy Sheriff.

Section 1. § 3486, 1932 Code, amended—deputy sheriff, Charleston County—appointment—term—removal.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3486, Code of Laws of South Carolina, 1932, be, and the same is hereby, amended by changing the period at the end of the first sentence of said Section to a semi-colon, and by adding thereafter, at the end of said first sentence, the following provisions, to-wit:

"Provided, That in the County of Charleston there shall be one (1) deputy sheriff appointed under this Section, who shall be appointed

by the Sheriff of Charleston County, upon the approval of the County Board of Commissioners of said County and of the Circuit Court or any Circuit Judge presiding therein; and such appointment shall be evidenced by a certificate thereof, signed by the Sheriff, with the approvals required herein indorsed thereon, and shall continue for the full term for which the said sheriff shall have been elected, regardless of any change, however, caused, in the office of sheriff; and said deputy sheriff shall be removable from office only in the manner and for the causes or reasons now provided by law for the removal of sheriffs", so that said section, when so amended, shall read as follows, to-wit:

"Section 3486: The sheriff may appoint one or more deputies to be approved by the Judge of the Circuit Court or any Circuit Judge presiding therein; and such appointment shall be evidenced by a certificate thereof, signed by the sheriff, and shall continue during his pleasure; *Provided*, That in the County of Charleston there shall be one (1) deputy sheriff appointed under this section, who shall be appointed by the sheriff of Charleston County, upon the approval of the County Board of Commissioners of said county and of the Circuit Court or any Circuit Judge presiding therein, and such appointment shall be evidenced by a certificate thereof, signed by the Sheriff, with the approvals required herein indorsed thereon, and shall continue for the full term for which the said sheriff shall have been elected, regardless of any change, however caused, in the office of sheriff; and said deputy sheriff shall be removable from office only in the manner and for the causes or reasons now provided by law for the removal of sheriffs. He may take such bond and security from his deputy as he shall deem necessary to secure the faithful discharge of the duties of the appointment; but he shall in all cases be answerable for neglect of duty or misconduct in office of such deputy: *Provided*, That the bond which may be required of Deputy Sheriff in Orangeburg County shall be twenty-five hundred (\$2500.00) Dollars."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

This act became effective when the Governor, to whom it was presented the 18th day of February, 1937, neither approved it nor returned it to the house in which it originated within three days, the General Assembly being in session.

(117)

No. 57.

AN ACT to Require the Superintendent of Education of Chester County to Submit Annually to the Chairman of the Board of Trustees of Each School District a County Budget Sheet Showing Credits and Debits of Each District at the Close of the School Year, and Also an Approximate Budget of the Credits and Debits for the Ensuing School Year.

Section 1. Superintendent of education submit budgets to trustees each year, Chester County.—Be it enacted by the General Assembly of the State of South Carolina: The County Superintendent of Education of the County shall, on or before October 1st. each year, submit to the Chairman of each Board of Trustees of each school district in the County a budget sheet showing the credits and debits of each district at the close of the school year, June 30th., and also an approximate budget of credits and debits for the ensuing school year. This budget sheet shall be considered, approved by the County Board of Education before being submitted to the various chairmen of the Board of Trustees. Proper blanks for issuing these budgets shall be furnished the County Superintendent of Education by the County Board of Directors.

§ 2. Cumulative.—This Act is intended to be cumulative and is not intended to repeal any other provision of law regarding the financial condition of schools in Chester County or any school law in Chester County.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5th day of March, 1937.

(118)

No. 58.

AN ACT to Amend Section 2296, Volume 2, Code of Laws of South Carolina, 1932, in Sub-Division Entitled "Lexington", so as to Provide an Additional Voting Precinct in Lexington County.

Section 1. § 2296, 1932 Code, amended—Crap's store voting precinct, Lexington County.—Be it enacted by the General Assembly of the State of South Carolina: That Sub-Section entitled "Lexington" in Section 2296, Volume 2, Code of Laws of South Carolina, 1932, be amended by adding at the end of said Sub-Sec-

tion "Crap's Store", so that, when so amended, the said Sub-Section shall read as follows:

"Lexington—In the County of Lexington there shall be voting places as follows: Lexington Court House, Leesville, Gilbert, Gaston, Pool's Mill, Irmo, Chapin, Efird's Store, W. P. Shealy's Store, Samaria, Batesburg, Swansea, Huffman's Burnt Mill, Brookland, Red Bank, Brook, Lower Fork, at St. Andrew's School House, Edmund, Pelion, Crout's Store, Steadman, Sandy Run, Oak Grove, St. Matthews, T. H. Shull's Store, Summit, Magnolia, Macedonia, Cayce, Hollow Creek, Mims, Cromer, Piney Wood's, Ridge Road, Sharpe's Hill School House, Crap's Store."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(120)

No. 59.

AN ACT to Amend Subsection 1 of Section 7452, Code of Laws of South Carolina, 1932, so as to Provide for the Manner of Drawing Juries for the Municipal Court in the Municipality of Hemingway in Williamsburg County.

Section 1. § 7452, 1932 Code, amended—drawing of juries for municipal court, town of Hemingway.—Be it enacted by the General Assembly of the State of South Carolina: That Subsection 1 of Section 7452, Code of Laws of South Carolina, 1932, be, and the same is hereby amended by striking out the words "in which said counties" on line twelve (12) of said Section 7452 and insert in lieu thereof the words "and the town of Hemingway in Williamsburg County, in which said counties and town of Hemingway", so that said subsection 1, when so amended, shall read as follows:

"Section 7452. (1) The mayor and aldermen or councilmen in any city or town in this State containing by the last census, less than 5,000 inhabitants are hereby declared to be the jury commissioners of the municipal court of said city or town, and they shall on or before the first day of May of each year, prepare a box to be known as the 'Jury Box' which said box shall contain two apartments designated as A and B, respectively, and shall prepare and place within said time in apartment A of said box the names of not less than 75

per cent of the qualified electors of such city or town of good moral character and eligible to jury duty, and after so placing such names in apartment A, the mayor or presiding officer of said court shall lock the box and keep the same in a place of safety: *Provided*, That the provisions of this section shall not apply to municipalities in the counties of Marion, Dillon and Horry, and the town of Hemingway in Williamsburg County, in which said counties and town of Hemingway juries for the courts in the respective municipalities shall be prepared and drawn in the same manner as juries are now drawn in the magistrates' courts in South Carolina."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(121)

No. 60.

AN ACT to Require Peddlers of Live Stock to Obtain a License Therefor Before Engaging in Business in Williamsburg County.

Section 1. Peddlers of live stock to be licensed, Williamsburg County—fees—exemptions.—Be it enacted by the General Assembly of the State of South Carolina: From and after the passage of this Act, each person, firm or corporation, except such as have, at the time, in Williamsburg County, a regular established place of business for which the license fee as required by law, including municipal license, has been paid, before engaging in the business of peddling any live stock in Williamsburg County, and the act of peddling shall be deemed to be carrying live stock from place to place over the county on foot or by vehicle and selling the same, or offering the same for sale, shall apply to, and obtain from, the Clerk of Court of Williamsburg County a license so to do, and pay to him for each Calendar year, or part thereof, for the privilege of engaging in such business an annual license fee of Two Hundred (\$200.00) Dollars; *Provided*, That if any such person, firm or corporation desires to engage in such business for a limited number of days the license fee therefor shall be Twenty-five (\$25.00) Dollars for each day.

Nothing herein contained shall be construed to require any person, firm or corporation, irrespective of whether he be a regular dealer

in live stock or not and whose place of business or residence may be beyond the confines of Williamsburg County, to obtain a license to deliver to anyone in Williamsburg County any live stock pursuant to a contract of sale theretofore made.

It is hereby made the duty of the Clerk of Court, when he issues any such license, to file with the Sheriff of the County the name and address of all such licensees and the length of time the licenses are to run.

§ 2. **Penalty.**—Any person, firm or corporation, violating the provisions of this Act shall be deemed guilty of a misdemeanor and each and every day in which he operates without a license shall be deemed a separate and distinct violation of this Act. For each such violation, upon conviction, he shall be subject to imprisonment for not more than thirty (30) days, or a fine of not more than One Hundred (\$100.00) Dollars.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 6th day of March, 1937.

(122)

No. 61.

AN ACT to Amend Act No. 809 of the Acts of 1936, Entitled "An Act to Create Courts of Domestic Relations in All Counties in This State Containing a City Having Over 60,000 Population According to the 1930 United States Census; and to Provide the Powers, Authority and Jurisdiction Thereof," Approved May 4th., 1936, so as to Make Further Provisions with Reference to the Powers, Authority and Jurisdiction of Courts of Domestic Relations.

Section 1. Act 809, 1936 Acts, amended—courts of domestic relations in counties with city over 60,000—definitions.—Be it enacted by the General Assembly of the State of South Carolina: That sub-sections (7) and (8) of Section 2 of Act No. 809 of the Acts of 1936, entitled "An Act to Create Courts of Domestic Relations in All Counties in This State Containing a City Having Over 60,000 Population According to the 1930 United States Census; and to provide the Powers, Authority and Jurisdiction Thereof", approved May 4th., 1936, be, and the same are hereby, amended by striking out said

sub-sections and inserting in lieu thereof the following, to be known as sub-section (7) and sub-section (8), respectively, of Section 2:

"Section (7): Child, when pertaining to delinquent or neglected children, means a person actually or apparently under sixteen years of age.

(8) Adult, when pertaining to delinquent or neglected children, means a person sixteen years of age or older".

§ 2. Same—terms of court—hours—probate judge act in absence of judge of children's court.—That Section 17 of said Act No. 809 be, and the same is hereby, amended by striking out said section and inserting in lieu thereof the following, to be known as Section 17:

"Section 17: The children's court shall be open and sessions of court shall be held every day in the year except Sundays and legal holidays. The family court shall also be open and sessions of the court shall be held every day in the year except Sundays and legal holidays and during the month of August in each year, at which time the Judge shall visit the various institutions to which delinquent or neglected children have been committed. In the absence of the Judge, on vacation or because of illness, the duties of the Judge of the Children's Court shall be discharged by the Judge of Probate in the Probate Court. The court shall be open and ready for the transaction of business on all such days at ten o'clock in the morning, and shall not close before two o'clock in the afternoon on week days, nor before one o'clock in the afternoon on Saturdays. The Judge shall be in actual attendance thereon during such hours, except for a reasonable recess."

§ 3. Same—liability of adults for support of children.—That sub-section (2) of section 26 of said Act No. 809 be, and the same is hereby, amended by striking therefrom, on lines 13-15 thereof, the words "and the court is satisfied after proper investigation and hearing that such parent or other person is able to contribute towards its support"; so that said sub-section (2) when so amended, shall read as follows:

"Section 26. (2): Adults; liability for support of children. The children's court shall also have jurisdiction whenever the issues involving a delinquent or neglected child are before the court, to inquire into and determine the liability of any parent or other person who is charged with failure to provide for the maintenance of any such child, when such person is required by law to provide for its

care and maintenance; and to inquire into and determine the liability of the parent of any child committed by the court, pursuant to any provision of law to a duly authorized association, agency, society, or institution, and the liability of any other person required by law to support or maintain any such child; and if judgment be rendered affirming the liability of any such parent or other person to pay for the maintenance, in whole or in part, of such child, the court may by order require of such parent or other person the weekly or monthly payment toward the maintenance or support of any such child such sum of money as the court shall deem fair and equitable, and may specify in the order the place where and the person, officer or agency to whom such payments shall be made; and if the sum paid shall be for the maintenance of a child committed by the court, it shall be credited to the agency, association, society or institution having custody of the child, or to the city, or county having the burden of its care and maintenance. Proceedings under this subdivision may be instituted by a duly authorized agency, association, society or institution or by an interested party or on the court's own motion. The court may issue a summons or in a proper case a warrant or other process to secure or compel the attendance of any necessary person, and such order, when made, shall be enforceable and subject to execution as are orders and injunctions of courts of equity in this State."

§ 4. Same—jurisdiction of family court.—That sub-section (2) of Section 42 of said Act No. 809 be, and the same is hereby, amended, by striking out said sub-section and inserting in lieu thereof the following, to be known as sub-section (2) of Section 42:

"Section 42 (2): In proceedings properly brought before the court for the support of a wife, or child, or stepchild, it shall have:

Jurisdiction for the protection, guardianship and disposition of neglected or dependent minors."

§ 5. Same—court issue order of protection—bring in additional parties—award custody of children during term of order of protection.—That sub-sections (7) and (8) of Section 43 of said Act No. 809 be, and the same are hereby amended, by striking out said sub-sections (7) and (8) and inserting in lieu thereof the following, to be known as sub-sections (7), (7-A) and (8), respectively, of Section 43:

"Section 43. (7): To make an 'order of protection', in assistance or as a condition of an order for support, setting forth conditions of behavior to be observed for a specified time which shall be binding

upon husbands or wives, or both, or upon parties to the proceeding as provided in sub-section (7-A) of this section, either during the pendency of the proceeding or in the final judgment or in furtherance thereof, or both.

Such orders may require either spouse, or any other party to the proceeding

(a) To stay away from the home or from the other or either spouse or children;

(b) To permit either spouse to visit the children at stated periods;

(c) To abstain from offensive conduct against the other spouse, or either of them, or against the children;

(d) To give proper attention to the care of the home;

(e) To refrain from acts of commission or omission that tend to make the home not a proper place for the other, or either spouse, or the children.

“(7-A): In furtherance of the complete disposition of cases in the jurisdiction of the family court, to bring in and make parties to any proceeding pending in said court any person or persons (a) who are charged with or alleged to be interfering with the marital relationship between a husband and wife, in violation of law or of the rights of either party to the marriage, or (b) whose presence as a party to the proceeding may be found necessary to a complete determination of the issues therein, or the relief to which the parties thereto, or any of them, may be entitled; and shall have the power to enjoin and restrain such interference, and to punish violations of such injunctions or restraining orders under the provisions of sub-sections (12) and (18) of this section.

“(8): To award the custody of the children, during the term of any order of protection, to either spouse, or to an appropriate relative within the second degree. But nothing in this Act contained shall vest in the family court the power to place out or board out any child or to commit a child to an institution or agency, except as provided in sub-sections (15) and (16) of this section.”

§ 6. Same—carry out and enforce act—hear and determine certain causes without jury.—That sub-section (21) of said Section 43 of said Act No. 809 be, and the same is hereby, amended, by striking out said sub-section (21), and inserting in lieu thereof the following, to be known as sub-section (21):

“Section 43 (21): To make any order necessary to carry out and enforce the provisions of this Act, and to hear and determine any

questions of support, custody, separation or any other matter over which the family court has equitable jurisdiction, without the intervention of a jury."

§ 7. Same—powers of court as to persons charged with non-support.—That Section 43 of said Act No. 809 be, and the same is hereby, further amended by adding thereto, at the end of said section, an additional sub-section to be known as sub-section (22) of said section 43, as follows:

"Section 43 (22) : To remand for not more than five (5) days for purposes of investigation, to admit to bail, or to parole on his own recognizance or in the custody of counsel, a person charged with non-support."

§ 8. Same—husband liable for support of wife and children—liability of wife, grandparents and step-parents for support of children.—That said Act No. 809 of the Acts of 1936 be, and the same is hereby, further amended by adding thereto, after section 44 of said Act, and before section 45 of said Act the following new sections to be known as sections 44-A and 44-B, respectively, to wit:

"Section 44-A. 1. A husband is hereby declared to be chargeable with the support of his wife and children, and if possessed of sufficient means or able to earn such means, may be required to pay for their support a fair and reasonable sum according to his means, as may be determined by the court.

"2. Where the father of a child is dead or is incapable of supporting his child or cannot be found within the state, the mother of such child is hereby declared to be chargeable with its support and, if possessed of sufficient means or able to earn such means, may be required to pay for its support a fair and reasonable sum according to her means, as may be determined by the court.

"3. Where the father of a child included in a petition for support is dead, or where the court, in its judgment, is unable to secure adequate support for such child from its parents, and the child's grandparents are of sufficient means to support it, said grandparents are hereby declared to be chargeable with the support of such grandchild and may be required to pay a fair and reasonable sum according to their means, as may be determined by the court.

"4. The step-parent of a child is hereby declared legally chargeable with the support of a stepchild likely to become a public charge provided it is shown to the satisfaction of the court that such step-

parent had knowledge of the child's existence at the time of said step-parent's marriage."

"Section 44-B: The family court shall have jurisdiction, and a husband may be required to furnish support or may be found guilty of non-support, as provided above, if, at the time of the filing of the petition for support:

(a) He is residing or domiciled in the county; or if the county is the matrimonial domicile of the parties;

(b) He is not residing or domiciled in the county but is found therein at such time, provided that the petitioner is so residing or domiciled at such time; or

(c) He is neither residing or domiciled nor found in the county but prior to such time and, while so residing or domiciled, he shall have failed to furnish such support or shall have abandoned his wife or child and thereafter shall have failed to furnish such support, provided that the petitioner is so residing or domiciled at such time".

§ 9. Same—notice to respondent—interview.—That section 48 of said Act No. 809 of the Acts of 1936 be, and the same is hereby, amended by adding a comma after the word "court" on line 2 of said section, and inserting after said word "court" and before the words "shall mail" the words "when so directed by the Judge,"; so that said section 48, when so amended, shall read as follows:

"Section 48: Upon the receipt of an application for support the Clerk of Court, when so directed by the Judge, shall mail or deliver to the respondent a written notice informing him of the fact that such application has been made and asking him to call at the court or arrange for an interview so that his side of the case may be fairly presented. His statements and other information with regard to him shall be recorded on a form to be known as the "respondent's statement" which shall become part of the case history. Such statements shall be inquired into by the probation officer. Care shall be taken not to disturb the respondent's relations with his employers."

§ 10. Same—service of summons and warrant by petitioner—arrest of respondent—certificate of order of protection—issuance—use arrest violators.—That said Act No. 809 of the Acts of 1936 be, and the same is hereby, further amended by adding thereto, after section 52 and before section 53 thereof the following two new sections to be known as section 52-A and section 52-B, respectively, to wit:

"Section 52-A: In no case shall the petitioner be permitted to serve either a summons or a warrant upon the respondent, unless the court itself shall grant such permission upon application of the petitioner. To facilitate the arrest of respondent, however, the Clerk of the Court may issue to the petitioner or to the representative of an incorporated charitable or philanthropic society having a legitimate interest in the family, a certificate setting forth that a warrant for the respondent has been issued by the court, and the presentation of such certificate by said petitioner or representative to any peace officer shall constitute authority for him to apprehend the respondent and take him to court. Such certificates shall expire ninety days from the date of issue but may be renewed from time to time by the Clerk of the Court.

"Section 52-B: Similarly, the Clerk of the Court may issue to the petitioner or the respondent, as the case may be, a certificate stating that an 'order of protection' has been made by the court relative to such person and setting forth its terms and requirements. The presentation by the petitioner or the respondent, as the case may be, of such certificate to any peace officer shall constitute authority for him to arrest the person charged with violating the terms of such order of protection and bring such person to the court and otherwise, as far as lies within his power, to aid in securing the protection such order was intended to afford".

§ 11. Same—hearings—rules—evidence—adjournment—temporary support.—That section 55 of said Act No. 809 be, and the same is hereby, amended by striking out said section 55 and inserting in lieu thereof the following, to be known as Section 55:

"Section 55: Hearings shall be conducted in accordance with such rules as the court may adopt, and the court may consider and receive as evidence the result of any investigation had or made by the probation officer; provided that either party shall be entitled to examine the probation officer under oath thereon. The court may adjourn the hearing from time to time for proper cause. Where the petitioner's needs are so urgent as to require it, the court may make a temporary order for support pending a final determination."

§ 12. Same—arrests.—That Section 56 of said Act No. 809 be, and the same is hereby, amended by striking out said section 56 and inserting in lieu thereof the following, to be known as section 56:

"Section 56: When a respondent is brought before the court upon an arrest, the court shall proceed as upon the return of the

summons as provided in sections 54 and 55 of this Act, or in its discretion may forthwith proceed to try and determine the charge of non-support, and he may be admitted to bail, or released on parole, in the court's discretion, to such time or times as the court may fix for the hearing or hearings in the proceeding."

§ 13. **Same—failure to support.**—That Section 58 of the said Act No. 809 of the Acts of 1936 be, and the same is hereby, amended by striking out said section 58 and inserting in lieu thereof the following to be known as Section 58:

"Section 58: Where a respondent shall neglect or refuse to obey an order for support made under the provisions of section 54, or upon agreement signed by the respondent and approved by the Court, and the Court is satisfied thereof by competent proof, it may, with or without notice, issue a warrant to commit the respondent to jail until the order is obeyed or until the respondent is discharged by law, but in no event for a period exceeding twelve months."

§ 14. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 15. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(123)

No. 62.

AN ACT to Authorize and Direct the County Auditor of Darlington County to Levy, and the Treasurer of Said County to Collect, a Tax to be Used for Aid to Weak Grammar Schools in Said County and to Provide for the Apportionment and Disbursement Thereof.

Section 1. Levy for weak grammar schools, Darlington County.—Be it enacted by the General Assembly of the State of South Carolina: That the County Auditor of Darlington County is hereby authorized and directed to levy, and the Treasurer of said County to collect, a tax of one-half of one mill on all the taxable property of the said County, to be used for aid to weak grammar schools in the said County and to be apportioned among them in such allotments as the County Board of Education shall approve, and to be disbursed on warrants of the County Superintendent of Education.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act to take effect upon its approval by the Governor.

Approved the 6th day of March, 1937.

(124)

No. 63.

AN ACT to Amend an Act Entitled, "An Act to Reduce the Bag Limit of Quail in Williamsburg, Clarendon, Florence, Saluda and Horry Counties", Approved June 2, 1936, so as to Provide a Bag Limit for Quail in Williamsburg County of Fifteen (15) for One Day's Hunt.

Section 1. Act 889, 1936 Acts, amended—bag limit for quail, Williamsburg County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of an Act entitled, "An Act to Reduce the bag limit of Quail in Williamsburg, Clarendon, Florence, Saluda and Horry Counties", approved June 2, 1936 and designated as Act No. 889 of the Acts of the General Assembly for 1936, be, and the same is hereby amended by striking out in line three (3) thereof the word "Williamsburg", and by adding at the end of the said Section the following: "*Provided*, that in Williamsburg County the bag limit for quail shall be fifteen (15) for one day's hunt", so that when so amended the said section shall read as follows:

"Section 1: That the bag limit for quail in Clarendon, Florence and Horry Counties shall be twelve (12) for one day's hunt. And the Seasons bag for Saluda County shall be 100 birds; *Provided*, that in Williamsburg County the bag limit for quail shall be fifteen (15) for one day's hunt.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 6th day of March, 1937.

(125)

No. 64.

AN ACT to Amend Section 2214 of the Code of Laws of South Carolina, 1932, as Amended by Act No. 715 of the Acts of the General Assembly of South Carolina, 1936, Approved March 27, 1936 and Entitled "An Act to Amend Section 2214

of the Code of Laws of South Carolina, 1932, Relating to the Powers of the Board of Phosphate Commissioners as to the Granting of Licenses to Dig and Mine Phosphate'', so as to Make the Term Not Exceeding Ten (10) Years Instead of Not Exceeding Five (5) Years of Licenses Granted to Dig, Mine and Remove Phosphate Rock and Phosphate Deposits as Provided Therein.

Section 1. § 2214, 1932 Code, amended—grant license dig, mine and remove phosphate for term not over ten years.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2214 of the Code of Laws of South Carolina, 1932, as amended by Act 715 of the Acts of the General Assembly of South Carolina, 1936, approved March 27, 1936 and entitled "An Act to Amend Section 2214 of the Code of Laws of South Carolina, 1932, Relating to the Powers of the Board of Phosphate Commissioners as to the Granting of Licenses to Dig and Mine Phosphate", be, and the same is hereby amended by striking out the words and figure "Five (5) years" on line eight (8) of said Section 2214 as amended as aforesaid, and insert in lieu thereof the following: "Ten (10) years", so that said Section 2214 as amended as aforesaid, when so amended shall read as follows:

"Section 2214: The Board is authorized to grant to any person, firm or corporation applying for the same, licenses granting a general right to dig, mine and remove phosphate rock and phosphate deposits from all the navigable streams and waters and marshes of the State, and also from such of the creeks, not navigable, lying therein, as may contain phosphatic rock and deposits, belonging to the State and not previously granted. Such licenses may be for a term not exceeding ten (10) years, renewable at the pleasure of the Board; and said Board is empowered and authorized to make a firm contract for the the royalty to be paid the State of South Carolina which shall not be increased during the life of the license, any present statute to the contrary notwithstanding."

Approved the 8th day of March, 1937.

(128)

No. 65.

AN ACT to Amend Section 7403 of the Code of Laws of South Carolina, 1932, as Amended by Subsequent Acts so as to Fix the Term of Office of the Intendant and Wardens in the Town of Chesnee, in the County of Spartanburg.

Section 1. § 7403, 1932 Code, amended—term of intendant and wardens, town of Chesnee.—Be it enacted by the General Assembly of the State of South Carolina: That Section 7403 of the Code of Laws of South Carolina, 1932, as amended by subsequent Acts of the General Assembly, be, and the same is hereby amended by adding at the end of said section, as amended, the following:

“Provided, Further, That in the Town of Chesnee, in the County of Spartanburg, the said Officers shall be elected every two years, and their term of office shall be for two years and until their successors shall have been elected and qualified.”

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(129)

No. 66.

AN ACT to Amend Section 7403, Code of Laws of South Carolina, 1932, Relating to Officers, Election, Term of Office, Etc., as Amended by Subsequent Acts, so as to Increase the Term of Office of the Intendant and Wardens in the Town of Pamplico from One to Two Years.

Section 1. § 7403, 1932 Code, amended—term of intendant and wardens, town of Pamplico.—Be it enacted by the General Assembly of the State of South Carolina: That Section 7403 of the Code of Laws of South Carolina, relating to officers, election, term of office, etc., as amended by subsequent Acts be, and the same is hereby amended by adding at the end of said Section as amended by subsequent Acts the following, to-wit:

“Provided, That in the town of Pamplico, in the County of Florence, said officers shall be elected every two years and their terms of office shall be for two years and until their successors have been

duly elected and qualified. *Provided, Further*, That this Act shall not be construed so as to increase the terms of office of those elected prior to its passage and approval."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 6th day of March, 1937.

(133)

No. 67.

AN ACT Providing the Time for the Filing of Claims and the Commencing of Suits Against the County of Florence.

Section 1. Claims against Florence County—file before commencing action therefor—time file—time start action.—Be it enacted by the General Assembly of the State of South Carolina: Any person, firm or corporation who may suffer injury to his or her person or damage to his, her or its property by reason of any acts of the County of Florence, shall before any suit is commenced, file with the governing board of the County of Florence, a claim giving the date, place where the injury or damage occurred, and the amount claimed must be made out, sworn to and filed within sixty (60) days after the alleged injury or damage. Suit, if any must be commenced by the service of a summons and complaint, within twelve (12) months from the date of the injury or damage.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 6th day of March, 1937.

(135)

No. 68.

AN ACT to Repeal Section 12 of an Act Entitled "An Act to Provide for the Determination and Refunding of Delinquent Taxes in Sumter County and the Payment of the Same in Annual Installments; and to Provide a Method of Crediting the Payments so Collected to the Purposes for Which the Original Levies were Made; and to Facilitate the Collection of Current Taxes." Approved the 6th Day of April 1932 and Known as Act No. 836 of the Acts of the General Assembly

for 1932, so as to **Eliminate from Said Section the Discount Allowed on Sumter County Taxes.**

Section 1. Act 836, 1932 Acts, amended—no discount on current taxes, Sumter County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 12 of an Act entitled "An Act to Provide for the Determination and Refunding of Delinquent Taxes in Sumter County and the payment of the same in Annual Installments; and to Provide a Method of Crediting the Payments so collected to the Purposes for which the Original Levies were made; and to facilitate the collection of Current Taxes", approved the 6th day of April 1932, and known as Act No. 836 of the Acts of the General Assembly for 1932 is hereby repealed, and no discount for the payment of taxes as provided for in said Section 12 shall be allowed on Sumter County taxes.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 6th day of March, 1937.

(136)

No. 69.

AN ACT to Provide that in the Event the Supervisor of York County is Physically Unable to Sign Checks, Vouchers or Approve Claims, that the County Commissioners Shall Elect One of Their Members to Sign Such Checks, Vouchers or Approve Claims During the Time of Such Physical Disability.

Section 1. Elect county commissioner sign checks and approve claims when supervisor physically unable to do so, York County.—Be it enacted by the General Assembly of the State of South Carolina: In the event the Supervisor of York County becomes physically unable to sign checks, vouchers or approve claims, then the County Commissioners shall elect and designate one of their members to substitute for the Supervisor during his physical incapacity in signing checks, vouchers and in approving claims, the signature of such substitute, as aforesaid, shall have the same force and effect as that of the Supervisor.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(137)

No. 70.

AN ACT to Amend Section 3789, Volume II, Code of Laws of South Carolina, 1932, Relating to Compensation of Magistrates and Constables in York County as Amended by Act No. 161 of the Acts of South Carolina, 1933, Entitled "An Act to Amend Section 3789, Volume II, Code of Laws of South Carolina, 1932, so as to Reduce the Compensation of Magistrates and Constables in York County", so as to Raise the Compensation of Magistrates and Constables in Said County and to Require the Said Magistrates to Furnish Official Bonds.

Section 1. § 3789, 1932 Code, amended—magistrates and constables, York County—compensation—bond.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3789, Vol. II, Code of Laws of South Carolina, 1932, Relating to Compensation of Magistrates and Constables in York County as amended by Act No. 161 of the Acts of South Carolina, 1933, entitled "An Act to Amend Section 3789, Vol. II, Code of Laws of South Carolina, 1932, so as to reduce the Compensation of Magistrates and Constables in York County" and approved on March 24, 1933, be, and the same is hereby amended by striking out sub-section 3, of said Section, as amended as aforesaid, and inserting in lieu thereof the following as sub-section 3 of said Section:

"(3) The said Magistrates and Constables shall receive per annum from said county as compensation for their services and in lieu of all fees and costs in criminal cases, the following salaries to-wit: In the first district the magistrate shall receive a salary of Seven Hundred and Eighty (\$780.00) Dollars per annum; and his constable shall receive a salary of Five Hundred and Twenty (\$520.00) Dollars per annum; in the second district the magistrate shall receive a salary of Six Hundred (\$600.00) Dollars per annum; and his constable shall receive a salary of Five Hundred and Fifty (\$550.00) Dollars per annum; in the third district the magistrate shall receive a salary of Nine Hundred (\$900.00) Dollars per annum; and his constable shall receive a salary of Eight Hundred and Forty (\$840.00) Dollars per annum; in the fourth district the magistrate shall receive a salary of Thirteen Hundred and Fifty (\$1350.00) Dollars per annum; and his constable shall receive a salary of One Thousand (\$1000.00) Dollars per annum; in the fifth district the magistrate shall receive a salary of Six Hundred (\$600.00) Dollars per annum;

and his constable shall receive a salary of Five Hundred and Fifty (\$550.00) Dollars per annum. The Magistrate in the fourth district in the County of York shall enter into a bond of One Thousand (\$1000.00) Dollars and each of the other Magistrates shall enter into a bond of Five Hundred (\$500.00) Dollars each, said bond to be conditioned for the faithful performance of the obligations and duties of his office, the form and sufficiency of the bond to be entered into by each magistrate shall be approved by the Clerk of Court for York County. Hereafter any commission issued to any magistrate in the county of York shall be void and of no effect until the magistrate shall have entered into the bond herein required.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 6th day of March, 1937.

(95)

No. 71.

AN ACT to Amend Section 3634, Code of Laws of South Carolina, 1932, Relating to Auditor's Endorsement Required as to Record in His Office Before Recordation, so as to Provide for the Recording of Timber Deeds, Timber Leases and Contracts of Conveyance of Timber.

Section 1. § 3634, 1932 Code, amended—recording of timber deeds, timber leases and contracts of conveyance of timber.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3634, Code of Laws of South Carolina, 1932, relating to Auditor's Endorsement required as to Record in His Office before Recordation, be, and the same is hereby amended by adding after the word "property" and before the word "can" on line 1 of said Section the following "including timber deeds, timber leases and contracts of conveyance of timber"; so that said section when so amended shall read as follows:

"3634: Before any deed of conveyance of real property, including timber deeds, timber leases and contracts of conveyance of timber can be placed on record in the office of the register of mesne conveyance or clerk of court it must have thereon the endorsement of the county auditor that it has been entered of record in his office."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 25th day of February, 1937.

(138)

No. 72.

AN ACT to Amend Section 57, Subdivision (3), Code of Laws of South Carolina, 1932, as Amended by an Act Entitled "An Act to Amend Section 57, Code of Laws of 1932, Insofar as It Relates to the Term of Court of Common Pleas for Union County", Known as Act No. 683 of the Acts of the General Assembly of the State of South Carolina, 1934, as Amended by an Act Entitled "An Act to Amend Section 57, Subdivision (3), Code of Laws of South Carolina, 1932, as Amended by an Act Entitled 'An Act to Amend Section 57, Code of Laws of 1932, Insofar as It Relates to the Term of the Court of Common Pleas for Union County', Known as Act No. 683 of the Acts of the General Assembly of the State of South Carolina, 1934, so as to Fix the Time for the Holding of the Court of Common Pleas of Union County", Known as Act No. 285 of the Acts of the General Assembly of the State of South Carolina, 1935, so as to Fix the Time for the Holding of the Court of Common Pleas and of the Court of General Sessions for Union County.

Section 1. § 57, 1932 Code, amended—terms of court, Union County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 57, Subdivision (3) of the Code of Laws of South Carolina, 1932, as Amended by an Act entitled "An Act to Amend Section 57, Code of Laws, 1932, insofar as it relates to the Term of the Common Pleas Court for Union County", known as Act No. 683 of the Statutes of the General Assembly of the State of South Carolina, 1934, as Amended by an Act entitled "An Act to Amend Section 57, Subdivision (3), Code of Laws of South Carolina, 1932, as Amended by an Act entitled 'An Act to Amend Section 57, Code of Laws of 1932, Insofar as it Relates to the Term of the Court of Common Pleas for Union County', known as Act No. 683 of the Acts of the General Assembly of the State of South Carolina, 1934, so as to Fix the Time for the Holding of the Court of Com-

mon Pleas of Union County", known as Act No. 285 of the Statutes of the General Assembly of the State of South Carolina, 1935, be amended by striking out all of said Section 57, Subdivision (3), Code of Laws of South Carolina, 1932, and inserting in lieu thereof the following to be known as Section 57, Subdivision (3), Code of Laws of South Carolina, 1932:

"The Court of Common Pleas for Union County shall convene at Union on the second Monday of February for two weeks; on the first Monday of May for two weeks; on the first Monday of September for two weeks; and on the first Monday of December for one week. The Court of General Sessions shall convene at Union on the fourth Monday of February for one week; on the third Monday of May for one week; on the third Monday of September for one week; and on the second Monday of December for one week."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 10th day of March, 1937.

(140)

No. 73.

AN ACT to Authorize and Empower the County Board of Spartanburg County to Rent, Lease, Operate or Put to Such Use as It Deems to the Best Interest of Spartanburg County, All or Any Part of the Property Owned by Spartanburg County, Commonly Known as the Spartanburg County Home and County Farm.

Section 1. Rent, lease, operate or use for best interest county home and county farm, Spartanburg County.—Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Spartanburg County is hereby authorized and empowered to rent, lease, operate or put to such use as it deems to the best interest of Spartanburg County, all or any part of the property owned by Spartanburg County, commonly known as the Spartanburg County Home and County Farm.

§ 2. Operation—employees—use prison labor.—The County Board is hereby authorized and empowered to employ Superintendents, Foremen and such other employees as it deems necessary

for the operation of said County Home and County Farm. The County Board shall have authority to contract for the operation of the County Home and the County Farm either collectively or separately. The County Supervisor is hereby required to furnish such prison labor as the County Board may require for the operation of both the County Home and the County Farm.

§ 3. **Appropriation.**—For the purpose of carrying out the provisions of this Act there is hereby appropriated for the fiscal year ending June 30, 1937, the sum of Three Thousand (\$3,000.00) Dollars to be made available immediately upon the passage of this Act. This appropriation to be expended in the operation of the County Farm.

§ 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 10th day of March, 1937.

(141)

No. 74.

AN ACT Providing for Five Trustees in Rice Patch School District in Colleton County.

Section 1. Trustees, Rice Patch School District, Colleton County—number—appointment.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of School Trustees of Rice Patch School District, Colleton County, shall be composed of five (5) trustees, three (3) of whom shall be residents of that portion of the district originally comprised in old Rice Patch School district and two (2) shall be residents of that portion thereof comprised of the old Hill School District No. 31. The appointment of these trustees shall be made as now provided for by law.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of March, 1937.

(143)

No. 75.

AN ACT to Levy a Tax of Fourteen (14) Mills on All Taxable Property in Jasper County for School Purposes; Fixing the Salaries of Superintendents, Principals and Teachers of the Schools of Jasper County; to Provide Sums of Money to the Several Schools for the Purpose of the Free Distribution of Textbooks; and to Authorize the County Board of Education to Borrow Money and to Pledge the Revenue Derived from Said Taxes to the Payment of Same.

Section 1. Levy for school purposes, Jasper County.—Be it enacted by the General Assembly of the State of South Carolina: That a tax of fourteen (14) mil's is hereby levied upon all of the taxable property in Jasper County for school purposes for the scholastic year 1937-1938, and each year thereafter until this Act has been repealed.

§ 2. Collection—use.—That the County Auditor is hereby directed to place the levy herein provided for on the tax books for the year 1937 and each year thereafter, and the County Treasurer is authorized and directed to collect the same as and when other taxes are collected and place the same to the credit of the Board of Education for Jasper County, to be expended by said Board from year to year to supplement State Funds for school purposes.

§ 3. Borrow—pledge levy pay.—The County Board of Education of Jasper County is hereby authorized to borrow funds for the operation of schools in Jasper County in such amounts as may be deemed advisable by them and pledge the fourteen (14) mill levy provided for the payment of same.

§ 4. Salaries of school teachers.—That the salaries of school teachers in Jasper County shall not exceed the following sums: Superintendent of Ridgeland School, three hundred (\$300.00) dollars per month for a period not exceeding nine months; Principal of Ridgeland Schools, one hundred seventy-six (\$176.00) dollars per month for a period not exceeding nine months; Principal of Gray's School, one hundred seventy-six (\$176.00) Dollars per month for a period not exceeding nine months; Principal of Tillman Schools, one hundred forty-five (\$145.00) dollars per month for a period not exceeding nine months; Principal of Hardeeville School, eighty-eight (\$88.00) dollars per month for a period not exceeding nine months, which shall be Jasper County's portion, same being one-half thereof; that teachers may be paid ninety-five (\$95.00) dollars per

month for a period not exceeding nine months and two and fifty one hundredths (\$2.50) dollars per month additional for each consecutive year of teaching experience in Jasper County, provided such additional pay for teaching experience shall not apply after the eighth year. It shall be unlawful for the trustees of any school to fix a higher salary than the maximum hereinbefore set out.

§ 5. **Funds purchase textbooks.**—The County Board of Education is hereby authorized and required to set aside the sum of two thousand (\$2,000.00) dollars to be apportioned to the several schools of Jasper County in proportion to the total cost of operating the said schools the previous school year for the purpose of purchasing textbooks for the children thereof so far as the same may go.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 10th day of March, 1937.

(145)

No. 76.

AN ACT to Amend Section 8999 of the Code of Laws of South Carolina, 1932, Relating to Compromises by Executors and Administrators, so as to Authorize the Compromise of Claims Asserted or Actions Brought for Alleged Wrongful Death.

Section 1. § 8999, 1932 Code, amended—administrators and executors compromise claims and actions for wrongful death under §§ 411-414.—Be it enacted by the General Assembly of the State of South Carolina: That Section 8999 of the Code of Laws of South Carolina, 1932, be, and the same is hereby, amended by adding at the end of said Section a proviso reading as follows, to wit:

“And, with the approval of the Judge of Probate and counsel representing said administrator or executor they may compromise and settle claims and actions for wrongful death asserted or brought under Sections 411 through 414, both inclusive.”

So that said Section, when so amended, shall read as follows:

“Section 8999: All administrators and executors may, by and with the consent of the Probate Judge, compromise all demands coming into their hands as such, where the same are appraised doubtful or

worthless; and where such compromises are made, the same shall be fully shown in their annual returns; and, with the approval of the Judge of Probate and counsel representing said administrator or executor they may compromise and settle claims and actions for wrongful death asserted or brought under Section 411 through 414, both inclusive."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 12th day of March, 1937.

(146)

No. 77.

AN ACT to Exempt Certain Manufacturing Plants in York County, South Carolina from All County Taxes, Except Taxes for School Purposes for a Period of Five Years.

Section 1. Certain manufacturing plants exempt from certain taxes, York County.—Be it enacted by the General Assembly of the State of South Carolina: That any person, firm or corporation, who, on or after the 2nd day of January, 1937, has erected or improved, or hereafter erects or makes improvements to, or who purchases or acquires any building or plant, with or without additional real estate, from which building or plant the machinery has been removed, and who does install machinery therein; or who erects buildings and installs machinery therein, in York County, in said State, at a cost of Fifty Thousand and no/100 (\$50,000.00) Dollars, or more, is and shall be exempt from the payment of all County taxes except taxes for school purposes, for a period of five (5) years from the date of the beginning of the erection or improvement to, or of any such manufacturing plant, or from the date of the beginning of the installation of said machinery: *Provided*, That where the expenditure is for the improvement or addition to any manufacturing plant, from which at least ninety (90%) percent of the machinery has not been removed, the exemption is confined to the increase of the taxable property arising from such improvement; but, in cases where at least ninety (90%) percent of the machinery has been removed and other machinery installed, then the exemptions shall be on the entire plant, machinery and real estate holdings, except as to constitutional taxes.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 12th day of March, 1937.

(148)

No. 78.

AN ACT to Provide for the Employment of Auctioneers by the Probate Judge, Master and Sheriff of Barnwell County to Make Judicial Sales in Said County and Fixing the Compensation of Such Auctioneers.

Section 1. Probate judge, master and sheriff employ auctioneers make judicial sales, Barnwell County.—Be it enacted by the General Assembly of the State of South Carolina: The Probate Judge, Master and Sheriff of Barnwell County are authorized, respectively, to employ an auctioneer for their respective offices to make any and all judicial sales of property ordered by the Court of Probate, Common Pleas Court, or by virtue of executions duly issued, to be sold at public auction in Barnwell County.

§ 2. **Fees of auctioneers.**—All auctioneers employed to make sale of property under the provisions of the foregoing section, shall receive the following fees for their services, that is to say, they shall be paid the sum of \$1.50 for the first tract or parcel and fifty (50¢) cents for each additional sale under the same decree, and when two or more tracts are sold together he shall receive a fee of \$2.00 for each such sale. Said fees shall be taxed and paid as part of the costs in the proceeding under which said sales are made.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 11th day of March, 1937.

(149)

No. 79.

AN ACT to Provide for the Employment of Auctioneers by the Probate Judge, Master and Sheriff of Abbeville County to Make Judicial Sales in Said County and Fixing the Compensation of Such Auctioneers.

Section 1. Probate judge, master and sheriff employ auctioneers make judicial sales, Abbeville County.—Be it enacted by

the General Assembly of the State of South Carolina: The Probate Judge, Master and Sheriff of Abbeville County are authorized, respectively, to employ an auctioneer for their respective offices to make any and all judicial sales of of property ordered by the Court of Probate, Common Pleas Court, or by virtue of executions duly issued, to be sold at public auction in Abbeville County.

§ 2. **Fees of auctioneers.**—All Auctioneers employed to make sales of property under the provisions of the foregoing section, shall receive the following fees for their services, that is to say, they shall be paid the sum of \$1.00 for the first tract or parcel and fifty (50¢) cents for each additional sale under the same decree, and when two or more tracts are sold together he shall receive a fee of \$1.50 for each such sale. Said fees shall be taxed and paid as part of the costs in the proceeding under which said sales are made.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 11th day of March, 1937.

(151)

No. 80.

AN ACT to Amend Section 7 of Act No. 406 of the Acts of the General Assembly of South Carolina, 1933, Entitled "An Act to Provide a Schedule of State Aid for Public Schools"—Etc., Approved May 31, 1933, as Amended by Act No. 103 of the Acts of the General Assembly of South Carolina, 1935, Entitled "An Act to Amend Section 7 of an Act Entitled 'An Act to Provide a Schedule of State Aid for Public Schools; to Levy and Impose Additional Income Taxes and Public Utility and Other Corporation Taxes and Licenses, Etc.' Approved May 31st, 1933, so as to Abolish in Greenville County the Levy of Four Mills Referred to in Section 5479, Code of Laws of South Carolina, 1932'', Approved March 22, 1935, so as to Provide for School District Levies in Anderson and Dorchester Counties in Accordance with the Provisions of Act No. 840 of the Acts of the General Assembly of South Carolina, 1934, Approved April 4, 1934, and Act No. 761 of the Acts of the General Assembly of South Carolina, 1934, Approved March 10, 1934.

Whereas, in and by Section 7 of Act No. 406 of the Acts of the General Assembly, 1933, entitled "An Act to Provide a Schedule of State Aid for Public Schools"—etc., approved May 31, 1933, pro-

visions were made repealing so much of Section 5479 of the Acts of the General Assembly of South Carolina, 1932, providing for a levy of Four (4) Mills for the purpose of paying teachers' salaries, and provisions were made providing school tax levies in the various counties of this State; and

Whereas, the General Assembly of South Carolina, 1934, by Act No. 840 entitled "An Act to Amend Section 7 of Act 406 of the General Assembly of 1933, Providing for State Aid"—etc., approved April 4, 1934, provided for the levying of school taxes in Pelzer School District No. 22 and Williamston School District No 20 in Anderson County; and

Whereas, the General Assembly of South Carolina, 1934, by Act No. 761 entitled "An Act to Repeal the Four Mill Levy in All School Districts of Dorchester County", approved March 10, 1934, discontinued and repealed the tax of Four (4) Mills on the property of the several school districts in Dorchester County, authorized and levied pursuant to a special provision in Section 7 of said Act No. 406 of the General Assembly of South Carolina, 1933, and made applicable to the school districts in Dorchester County the general provision of Section 7 of said Act No. 406 repealing the Four (4) Mill levy for the purpose of paying teachers' salaries; and

Whereas, the General Assembly of South Carolina, 1935, by Act No. 103 entitled "An Act to Amend Section 7 of An Act Entitled 'An Act to Provide a Schedule of State Aid for Public Schools; to Levy and Impose Additional Income Taxes and Public Utility and Other Corporation Taxes and Licenses, Etc.' Approved May 31st, 1933, so as to Abolish in Greenville County the Levy of Four Mills Referred to in Section 5479 Code of Laws of South Carolina, 1932" approved March 22, 1935, amended said Act No. 406 of the Acts of the General Assembly of South Carolina, 1933, by striking out the proviso relative to Greenville County; and

Whereas, the General Assembly of South Carolina, 1935, in and by said Act No. 103 recited the provisions of said Section 7 of said Act No. 406, as amended by said Act No. 103, and, in so doing, ignored the provisions of said Acts Nos. 761 and 840 of the Acts of the General Assembly of South Carolina, 1934; and

Whereas, it is desired that the provisions of said Acts Nos. 761 and 840 be re-enacted; *Now, Therefore*,

Section 1. Act 406, 1933 Acts, amended—levies for school purposes, Anderson and Dorchester Counties.—Be it enacted by

the General Assembly of the State of South Carolina: That Section 7 of the Act No. 406 of the Acts of the General Assembly of South Carolina, 1933, entitled "An Act to Provide a Schedule of State Aid for Public Schools"—etc., approved May 31, 1933, as amended by Act No. 103 of the Acts of the General Assembly of South Carolina, 1935, entitled "An Act to Amend Section 7 of an Act Entitled 'An Act to Provide a Schedule of State Aid for Public Schools; to Levy and Impose Additional Income Taxes and Public Utility and other Corporation Taxes and Licenses, Etc.' Approved May 31st, 1933, so as to Abolish in Greenville County the Levy of Four Mills Referred to in Section 5479, Code of Laws of South Carolina, 1932" and approved March 22, 1935, be, and the same is hereby amended by striking out all of the proviso relating to Dorchester County on lines 22, 23, 24, 25, and 26 of said Section 7 of said Act No. 406 as set out on Page 134 of the Acts of the General Assembly of South Carolina, 1935.

Amend, further, by adding at the end of said Section 7 of said Act No. 406 as set out on said Page 134, the following, to wit:

"Provided, Further, That in Pelzer School District No. 22 and Williamston School District No. 20 in Anderson County, there is hereby levied on all taxable property in said districts a tax of four (4) mills and the tax derived from such levy shall be used for school purposes in the respective districts in which such tax is collected. *Provided, Further,* That should in the judgment of the Boards of School Trustees of said School Districts, the levy herein provided for shall not be necessary to operate the schools in their respective districts for a period of nine (9) months, then such Boards shall have the power, authority and right in its discretion to suspend, for such time as it sees fit, all or any portion of such levy. Should either Board determine to exercise the power and authority herein conferred upon it, it shall do so only by resolution, duly adopted and copies of same filed with the County Auditor and County Superintendent of Education of Anderson County, and from the date of such filing of such resolution its action shall be effective", so that said Section 7 of said Act No. 406 of the Acts of the General Assembly of South Carolina, 1933, when so amended, shall read as follows:

"That so much of Section 5479, Code of Laws of South Carolina, 1932, providing for a levy of four mills for the purpose of paying teachers' salaries, be, and the same is hereby, repealed; and that all existing special tax levies in all counties and all school districts with-

in the State, for the purpose of paying teachers' salaries and other expenses may be reduced as deemed advisable by local boards of trustees and the County Boards of Education and by the Senator and half of the members of the House of Representatives of the respective counties: *Provided*, That no tax levy for retiring any bonds or other indebtedness of such school district shall be affected hereby: *Provided*, That in the County of Charleston the following levies shall be retained and levied annually for county and school district purposes, to wit: In the school district comprising the City of Charleston, known as School District No. 20, all present special and district school levies shall be retained, and in place of the four mill levy repealed herein there shall be annually levied hereafter four mills in said district for the school purposes of said district, and in all other school districts in the County of Charleston all present special and district school levies shall be retained, and in place of the four mill levy repealed herein there shall be annually levied hereafter four mills in said district for the school purposes of the said district: *Provided*, That one mill school levy in Chester County shall be levied annually and retained for county and school district purposes: *Provided*, That the provisions of this Act shall in no way repeal, interfere with or affect the provisions of Act No. 890 of the Acts of the General Assembly of 1928, relating to Fairfield County: *Provided, Further*, That in the Counties of Bamberg, Berkeley, Calhoun, Chesterfield, Colleton, Darlington, Dillon, Edgefield, Laurens, Oconee, Marion, Pickens, Williamsburg and York the Senator and at least half of the members of the House shall have power to regulate special district levies, the method of handling school funds, and to provide a uniform millage for financing the school in said counties; *Provided, Further*, That in Pelzer School District No. 22 and Williamston School District No. 20 in Anderson County, there is hereby levied on all taxable property in said districts a tax of four (4) mills and the tax derived from such levy shall be used for school purposes in the respective districts in which such tax is collected. *Provided, Further*, That should in the judgment of the Board of School Trustees of said School Districts, the levy herein provided for shall not be necessary to operate the schools in their respective districts for a period of nine (9) months, then such Boards shall have the power, authority and right in its discretion to suspend, for such time as it sees fit, all or any portion of such levy. Should either Board determine to exercise the power and authority herein conferred upon it, it shall do so only by

resolution, duly adopted and copies of same filed with the County Auditor and County Superintendent of Education of Anderson County, and from the date of such filing of such resolution its action shall be effective."

§ 2. No effect on act 914, 1936 Acts, and act 1053, 1934 Acts—school levies, Dorchester County.—This Act is not intended and shall not be construed to in any way repeal or change the provisions of Act No. 914 of the Acts of the General Assembly of South Carolina, 1936, relative to the tax levy in Harleyville School District No. 9 in Dorchester County, approved June 2, 1936, nor Act No. 1053 of the Acts of the General Assembly of South Carolina, 1934, relative to the levy of special taxes for school purposes in certain School Districts of Dorchester County, approved April 7, 1934.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 12th day of March, 1937.

(154)

No. 81.

AN ACT to Authorize the Trustees of Laurel Creek School No. 7-H and/or the Trustees of West Gantt School District No. 6-B of Greenville County to Establish a State Accredited High School in Each District.

Section 1. Laurel Creek School District No. 7-H and West Gantt School District No. 6-B establish state accredited high schools, Greenville County.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Laurel Creek School District No. 7-H and/or the Trustees of West Gantt School District No. 6-B of Greenville County, be, and they are hereby, authorized and empowered to establish a state accredited high school in each said district with courses of study in harmony with the rules and regulations of the State Board of Education, and to issue state high school diplomas to its graduates at the end of the scholastic year 1940-41, and at the end of each scholastic year thereafter, *Provided*, That such high school meets the minimum state requirements of enrollment and average attendance for the scholastic year 1937-1938. and each scholastic year thereafter; *Provided, Further*, That in the

event the said Laurel Creek School District No. 7-H and/or the said West Gantt School District No. 6-B do or does not meet the minimum state requirements of enrollment and average attendance for a state accredited high school for the scholastic year 1937-38, then the said district or districts shall operate a two-teacher high school or schools until such minimum requirements of enrollment and average attendance shall have been met when said district or districts shall automatically become a state accredited high school or schools.

§ 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. That this Act shall take effect July 1, 1937.

Approved the 11th day of March, 1937.

(160)

No. 82.

AN ACT to Amend Section 1 of Act No. 32 of the Acts of the General Assembly of South Carolina, 1933, Entitled "An Act to Create a Rural Police System for Oconee County, to Provide for Their Appointment, Removal, Remuneration and Define Their Powers and Duties" and Approved February 4, 1933, so as to Further Provide for the Number of Rural Policemen in Oconee County.

Section 1. Act 32, 1933 Acts, amended—number of rural policemen, Oconee County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of Act No. 32 of the Acts of the General Assembly of South Carolina, 1933, entitled "An Act to Create a Rural Police System for Oconee County, to Provide for Their Appointment, Removal, Remuneration and Define Their Powers and Duties" and approved February 4, 1933, be, and the same is hereby, amended as follows: Strike out the words "four Rural Police" on line 4 of said Section 1 and insert in lieu thereof the following: "such Rural Policemen, not to exceed four (4), as may be from time to time prescribed by the State Senator from Oconee County, and one-half (1/2) of the members of the House of Representatives from said County" so that said Section 1, when so amended, shall read as follows:

"Section 1: There is hereby created a Rural Police System for Oconee County, to consist of such Rural Policemen, not to exceed

four (4), as may be from time to time prescribed by the State Senator from Oconee County, and one-half (1/2) of the members of the House of Representatives from said County. They shall be appointed and commissioned by the Governor upon recommendation of the County Senator, with the county members of the House of Representatives or a major fraction of them. They shall be commissioned to hold office at the pleasure of the county delegation and shall be subject to removal upon the recommendation of the County Senator, with the county members of the House of Representatives or a major fraction of them, and it shall be mandatory upon the Governor when such recommendation is made to revoke formally any commission so recommended."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 12th day of March, 1937.

(161)

No. 83.

AN ACT to Repeal Act No. 216 of the Acts of the General Assembly, 1933, Entitled "An Act to Provide Further for Magistrates in Oconee County by Providing for the Appointment of One to be Located at Fair Play, in Said County, and Fixing His Compensation" and Approved April 14, 1933.

Section 1. Act 216, 1933 Acts, repealed—magistrate at Fair Play, Oconee County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 216 of the Acts of the General Assembly of South Carolina, 1933, entitled "An Act to Provide Further for Magistrates in Oconee County by Providing for the Appointment of One to be located at Fair Play, in said County, and Fixing His Compensation" and approved April 14, 1933, be, and the same is hereby repealed.

§ 2. This Act shall take effect upon its approval by the Governor.
Approved the 12th day of March, 1937.

(139)

No. 84.**AN ACT to Establish the Location of State Highway No. 183 Between the Town of Pickens and U. S. Route 276.**

Section 1. Location of state highway 183 between Pickens and U. S. route 276.—Be it enacted by the General Assembly of the State of South Carolina: The location of State Highway No. 183 between the end of the hard surfacing northeast of Pickens and U. S. Route 276 is hereby established to follow such route as the State Highway Department may determine.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 10th day of March, 1937.

(164)

No. 85.**AN ACT Putting All Officers of Newberry County on a Salary Basis and Requiring All Officers of Newberry County to Turn Over All Fees Collected by Them to the Treasurer of Newberry County.**

Section 1. Officers receive salaries—pay fees to treasurer, Newberry County.—Be it enacted by the General Assembly of the State of South Carolina: That on January 1st, 1937, all officers of Newberry County shall be placed on a salary basis and any and all fees collected by any officer of Newberry County shall be turned over to the Treasurer of Newberry County and by him to be placed in such fund or funds as he shall be directed so to do by the Legislative Delegation.

§ 2. **Salaries—in lieu of fees—amount.**—That the salaries of all officers of Newberry County shall be fixed by the Legislative Delegation and the salaries so fixed shall be in lieu of all fees which any officer may now receive under existing law. *Provided, However,* That the amounts to be paid by the State on the salaries of the Treasurer and Auditor shall be the amounts designated annually in the General Appropriation Act.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of March, 1937.

(166)

No. 86.**AN ACT to Provide for Election of School Trustees for Hanna School District No. 18 in Florence County.**

Section 1. Trustees, Hanna School District No. 18, Florence County—appointment—vacancies.—Be it enacted by the General Assembly of the State of South Carolina. That the County Superintendent of Education of Florence County shall, on the first Tuesday in May, 1937, and on the same day in May of each year thereafter, call a meeting of the electors of Hanna School District No. 18 in Florence County to be held at some suitable place in said district, which said meeting shall be advertised each year, three weeks before the said date fixed and in three conspicuous places in said District, and at such meeting the electors attending shall organize as a mass meeting, consider their school needs and shall nominate and recommend to the County Board at the meeting held on the said day, one trustee to fill the vacancy occurring in 1937, and at each annual meeting thereafter the vacancy occurring on the said Board shall be filled in the same manner: *Provided*, That each trustee shall be appointed for only five (5) years; *Provided Further*, That the County Superintendent of Education may fill any vacancy occurring in the Board of Trustees of said District, between elections, but such appointment to fill such vacancy shall be only until the succeeding mass meeting herein provided for.

§ 2. Report annually.—That at such annual meeting in said district the trustees shall make a report to the meeting of the financial affairs of the district which shall include an itemized statement of all expenditures for the previous year, together with such recommendations as they may deem proper which report, with the minutes of the mass meeting of the electors, shall be forwarded by the Secretary of the meeting to the County Superintendent of Education and filed for record in his office as a public document.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of March, 1937.

(167)

No. 87.**AN ACT to Provide for the Appointment of an Auctioneer for Pickens County for All Public Sales; Fix His Compensation, and the Manner of His Appointment.**

Section 1. Auctioneer, Pickens County—appointment—term—compensation.—Be it enacted by the General Assembly of the State of South Carolina: That the office of Auctioneer for Pickens County is hereby created. He shall be appointed by the Governor upon the recommendation of a majority of the members of the legislative delegation from Pickens County, and shall serve for two (2) years, and until his successor shall have been appointed, as provided for herein. It is made his duty to act as Auctioneer in all judicial sales; tax sales, or sales under levy and execution. He shall receive as compensation for his services the sum of \$1.00 for conducting each sale, which shall be taxed as other costs in the action or proceeding are taxed. In the event that the Auctioneer is disqualified, or incapacitated to conduct any sale, he is authorized and empowered to designate some person to act in his place and stead.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of March, 1937.

(168)

No. 88.**AN ACT to Provide for the Removal of All Marks of Identification on School Buses in This State When No Longer Used for School Purposes, and to Provide a Penalty for the Violation Thereof.**

Section 1. Use school buses no longer used for school purposes only after removing marks of identification.—Be it enacted by the General Assembly of the State of South Carolina: That all school buses in this state, when no longer used for school purposes, and sold to any person for private or public use, must have all marks of identification, showing that these buses were used by schools and school districts, removed before private or public use may be made of them.

§ 2. **Penalty.**—Any person violating the provisions of this Act shall be subject to a fine not exceeding \$25.00, or imprisonment upon

the public works of the County in which the offense is committed, for a period of not more than thirty (30) days.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(169)

No. 89.

AN ACT to Create the St. Andrews Parish Commission in Charleston County; to Provide for Its Personnel and to Define Its Powers and Duties.

Section 1. St. Andrews parish commission, Charleston County.

—Be it enacted by the General Assembly of the State of South Carolina: There is hereby created a Commission which shall be known as the St. Andrews Parish Commission. It shall be composed of three (3) members, each of whom shall hold office for a term of two (2) years from the date of their appointment and until their successors shall have been duly appointed and qualified; one of whom shall be appointed by the Trustees of School District No. 10 of Charleston County, South Carolina, and the remaining two (2) by a majority of the Charleston Delegation to the General Assembly. A letter addressed to each appointee by the appointing bodies shall be a sufficient warrant to the said appointees to perform the duties and functions herein granted to and conferred upon the St. Andrews Parish Commission.

§ 2. **Duties and powers.**—The said Commission shall have charge of and supervise all parks and play grounds within the territorial limits of School District No. 10 of Charleston County including specifically an athletic field yet to be constructed. It shall have full power to accept gifts or grants and to expend any sum or sums of moneys which it may become possessed of, and in general, power to do all things necessary to properly maintain and equip said parks or play grounds.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(171)

No. 90.

AN ACT to Provide for the Appointment of a County Attorney for Cherokee County by a Majority of the Legislative Delegation of Said County.**Section 1. Attorney, Cherokee County—appointment—term.—**

Be it enacted by the General Assembly of the State of South Carolina: That the County Attorney for the County of Cherokee shall hereafter be appointed by a majority of the Legislative Delegation of the said County and shall serve for a period of two (2) years from the date he is appointed.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(172)

No. 91.

AN ACT to Make More Safe the Use by Pedestrians and Surf Bathers of the Front Beach of the Isle of Palms in Charleston County, South Carolina.

Whereas, during the months of May, June, July, August and September of each year large numbers of residents and visitors, including many children of tender years, use the front beach on the Isle of Palms in Charleston County, because of its bathing facilities and health giving qualities, and protection of the users of the said beach from injury by motor vehicles operating on the said beach is highly desirable, *Now, Therefore*

Section 1. Not operate motor vehicles and aircraft on portion of front beach of Isle of Palms during certain months.—Be it enacted by the General Assembly of the State of South Carolina: It shall be unlawful for any person, firm or corporation, or any agent, servant or employee of any person, firm or corporation to drive, operate or permit to be driven or operated on that portion of the front beach of the Isle of Palms in Charleston County, South Carolina, described in Section 2 hereof, during the months of May, June, July, August and September of each and every year, any motor vehicle, including aircraft.

§ 2. **Portion of beach such operation prohibited.—**The portion of the front beach of the Isle of Palms in Charleston County, South Carolina, upon which it shall be unlawful to drive, operate or permit to be driven or operated, a motor vehicle, as set forth in Section

1 of this Act during the months of May, June, July, August and September in each year is described as follows:

"All that portion of the front beach of the said Isle of Palms beginning at a point one thousand (1,000) yards east of the eastern boundary line of the Pavillion and Hotel now erected on the said island, and extending from the said point to the western end of the said island."

§ 3. Operate motor vehicles and aircraft within such area if permission granted—police protection.—If permission be obtained in writing in advance from the Charleston County Police Commission, it shall be lawful to drive and operate motor driven vehicles, or aircraft, within the prohibited area during the prohibited period, on any holiday, festival day, or other special occasion, as a part or incident to any carnival, festival, or celebration of any kind being held on the Isle of Palms; *Provided*, that whenever such permission shall have been granted it shall be the duty of the Charleston County Police Commission to furnish adequate police protection for the public during the time for which said permission is granted.

§ 4. Enforcement.—In order to assist the authorities charged with the enforcement of this Act it shall be lawful for the owner of the property adjoining the point of beginning of the restricted area hereinabove described on the said front beach of the Isle of Palms to erect and maintain on, upon, and across the said beach at the said point of beginning, a single board fence, said fence not to be erected prior to the first day of May in each year, and to be removed not later than the last day of September of each year, the said fence on its eastern side to be equipped with reflectors of a design approved by the Sanitary and Drainage Commission of Charleston County, the owner of the property at the point of beginning of the restricted area not to be responsible for any injury or damage to any person or property coming into collision with the said fence, provided at the time of the said collision the said fence is equipped with reflectors of a design approved by the said Sanitary and Drainage Commission of Charleston County.

§ 5. Penalty.—Any person, firm or corporation who violates any provision of this Act shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than Fifty (\$50.00) Dollars, or imprisoned for not more than ten (10) days.

§ 6. Date effective.—This Act shall take effect on the 30th day of April, 1937.

Approved the 19th day of March, 1937.

(173)

No. 92.

AN ACT to Provide for Five (5) Trustees in Leslie School District No. 52 York County and to Provide for the Election Thereof.

Section 1. Trustees, Leslie School District No. 52, York County—number—elect—term.—Be it enacted by the General Assembly of the State of South Carolina: That the Leslie School District No. 52 of York County from and after the passage of this Act shall have five (5) school trustees who shall be elected on the second Tuesday in April and shall hold office for a term of two (2) years from the date of their election and qualification. That the County Board of Education of York County shall order the said election and shall give at least ten (10) day's notice of said election by publishing a notice thereof in a newspaper published in York County.

§ 2. Election—time—voters.—That the first election for said trustees shall be held on the second Tuesday in April, 1937, and at such election and at each election thereafter for the purpose of electing trustees in said school district only the qualified electors of said district shall vote.

§ 3. Term of incumbents end April 13, 1937.—That the term of office of the present trustees of Leslie School District No. 52 of York County shall terminate and end on the second Tuesday in April 1937.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of March, 1937.

(175)

No. 93.

AN ACT to Amend Sub-division 4 of Section 2867, Volume II, Code of Laws of South Carolina, 1932, as Amended by Act No. 863 of the Acts of the General Assembly of 1934, Approved Under Date of April 7th, 1934, so as to Provide that the Tax Collector of Calhoun County Shall Pay Over to the County Treasurer Fifteen Per Cent of the Fees Allowed Him Under Said Section.

Section 1. § 2867, 1932 Code, amended—tax collector pay to treasurer 15% of his fees, Calhoun County.—Be it enacted by the General Assembly of the State of South Carolina: That Sub-division 4 of Section 2867, Volume II, Code of Laws of South Carolina, 1932, as amended by Act No. 863 of the Acts of the General Assembly of 1934, approved under date of April 7th, 1934, be and the same is amended by striking out the word “thirty” and inserting in lieu thereof the word “fifteen”, so that when so amended the said sub-division of Section 2867 of the Code of Laws of South Carolina, 1932, shall read as follows: “(4) The treasurer for such warrant issued shall have from each defaulter one (\$1.00) dollar, and the tax collector herein provided for shall take from each defaulter the following fees in the execution of his office, to-wit:

“For serving each warrant, one (\$1.00) dollar, besides mileage at the rate of five cents for each mile actually traveled in executing the warrant: for advertising sale, twenty-five cents; for making sale and executing deed of conveyance and putting purchaser in possession . . (\$3.00); and for sums levied as aforesaid, five per cent., and the said tax collector is prohibited from demanding or collecting any greater sum therefor than is hereby allowed, and neither the treasurer nor the tax collector herein shall receive fees, upon nulla bona return; Provided, That the said county may by majority of vote of the Legislative Delegation supplement the fees of the said tax collector, by salary to be provided in the county supply bill or otherwise; Provided, further, That the said tax collector shall pay over to the Treasurer of Calhoun County fifteen per cent. of the fees allowed him under the provisions of this Section, such payments to be made monthly and to be made on or before the 10th day of succeeding month.”

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(176)

No. 94.

AN ACT to Further Define and to Regulate the Season for Shooting Squirrels in Florence County, and Clarendon County.

Section 1. Season shoot squirrels, Clarendon and Florence Counties.—Be it enacted by the General Assembly of the State of

South Carolina: That upon the approval of this Act the season for shooting squirrels in Florence County and Clarendon County shall be opened October 1st. and closed March 1st. of each year, and so much of Section 1751, Volume I, Code of Laws of South Carolina, 1932, as relating to the season for shooting squirrels in Florence County and Clarendon County is Specifically repealed.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(177)

No. 95.

AN ACT to Authorize and Empower Circuit Judges and County Judges to Pass Upon Without a Jury, Matters in Suits Brought by Any Person Laboring Under a Disability to Sue for Himself Involving Personal and Property Damages.

Section 1. Guardians ad litem, on consent of circuit or county judge, settle actions brought recover damages for persons unable sue for themselves.—Be it enacted by the General Assembly of the State of South Carolina: That it shall be lawful for any guardian ad litem who has heretofore or who may hereafter institute any action in any of the courts of this state for the recovery of damages to the person or property of any minor or other person laboring under a disability to sue for himself, to effect a settlement of such action; *Provided*, the settlement be approved by the resident or presiding Judge of the Circuit comprising the County in which the action is brought; or by the Judge of the County Court in which said action is instituted. When any such guardian ad litem receives an offer of settlement which he deems acceptable and advantageous to the minor or other person whom he represents, he shall present the court with a copy of the pleadings, and accompany same with a verified petition, stating the reasons why, in his opinion, the settlement should be made. It shall thereupon become the duty of the court with whom any such petition and pleadings is filed to give consideration to the entire matter and authorize the guardian ad litem to consummate said settlement, only, when in the discretion of the court, such settlement is proper and to the best interest of the minor, or other person, laboring under the aforesaid disability. Such settlements and proceedings may be heard and disposed of by the Judges

of the Circuit and County Courts, either in open Court or at Chambers.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(178)

No. 96.

AN ACT to Repeal Act No. 804 of the Acts of 1934, Entitled "An Act Fixing the Season for Hunting Marsh Hens and Rails and Fixing the Bagging Limit of Same in Charleston County and Providing a Penalty for the Violation Thereof".

Section 1. Act 804, 1934 Acts, repealed—season hunt marsh hens and rails and fix the bag limit of same, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 804 of the Acts of 1934, entitled "An Act Fixing the Season for Hunting Marsh Hens and Rails and Fixing the Bagging Limit of Same in Charleston County and Providing a Penalty for the Violation Thereof," approved March 23rd., 1934, be, and the same is hereby, repealed.

§ 2. **Provisions affected by said act reenacted.**—All provisions of law in effect at the time of the passage of the said Act referred to in the preceding Section which were in any way altered, modified, repealed or affected by said Act are hereby reenacted, to the end that the provisions of the general game laws of the State in effect in the other counties thereof in relation to the hunting of marsh hens shall be in force in and applicable to Charleston County.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(179)

No. 97.

AN ACT to Provide for Nomination of School District Trustees in Chesterfield County in Primary Election.

Section 1. Nominate school trustees, Chesterfield County.—Be it enacted by the General Assembly of the State of South Carolina: Upon the filing of the petition with the Chairman of the Democratic

Executive Committee of Chesterfield County, on or before the 25th day of March, 1937, signed by not less than ten per cent. of the Democratic voters duly enrolled to vote in the last Democratic primary election, residing in any school district in Chesterfield County, the said Chairman shall immediately order a primary election in said school district to nominate the trustees thereof for the term of office commencing on the 15th day of April, 1937. Said election shall be held on the second Tuesday in April, 1937.

§ 2. **Provisions govern.**—The said election shall be conducted according to the rules and regulations of the Democratic Party in South Carolina insofar as the same can be made applicable. The said Chairman shall appoint the Managers, Clerk, make all necessary rules and regulations when the rules of the Democratic Party cannot be made applicable, and supervise the said primary election. The said Chairman shall declare the results of said election, and if necessary, order a second primary election. If there should be any protest or contest, the said Chairman is authorized to appoint five (5) members of the Democratic Executive Committee of Chesterfield County to hear and determine the same, and the findings, conclusions and determination of the said Board shall be final.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of March, 1937.

(180)

No. 98.

AN ACT to Make Competent in Evidence, Copies of Records of the State Highway Department of South Carolina, Relating to the Issuance of Drivers Licenses, Motor Vehicle Licenses and Right-of-Way Deeds When Certified to by the Director of Motor Vehicles or Chief Highway Commissioner.

Section 1. Offer in evidence in civil proceedings certified copies of records from state highway department relating to driver's licenses, motor vehicle licenses, or right-of-way deeds.—Be it enacted by the General Assembly of the State of South Carolina: That hereafter it shall be lawful for any party to any civil proceedings pending or hereafter brought in any court in the State of South Carolina, to offer in evidence copies of any records from the State Highway Department of South Carolina, relating to drivers

licenses, motor vehicle licenses, or right-of-way deeds, when certified by the Chief Highway Commissioner or the Secretary-Treasurer or the Director of Motor Vehicle Division of the State Highway Department, as being true copies of the originals thereof in the files of the State Highway Department, and no objections to any such certified copies based upon the ground that they are not originals, shall be permissible, and such certified copies shall have the same force and effect as though the originals from said Department were introduced in evidence.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of March, 1937.

(183)

No. 99.

AN ACT to Provide for the Determination of Measure and Weight of Crab Meat.

Section 1. Eight pounds of crab meat considered one gallon.—Be it enacted by the General Assembly of the State of South Carolina: That for commercial purposes for the sale of crab meat in this State eight (8) pounds of crab meat shall be considered one (1) gallon.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(184)

No. 100.

AN ACT to Amend Section 3410, Volume II, Code of Laws of South Carolina, 1932, Relating to the Prohibiting of Trawling for Shrimp by Extending the Provisions Thereof to Sounds.

Section 1. § 3410, 1932 Code, amended—not trawl for shrimp in sounds.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3410, Volume II, Code of Laws of South Carolina, 1932, be, and the same is hereby amended by strik-

ing out all of said section and by inserting in lieu thereof the following:

"Section 3410: The trawling for shrimp in any stream, bay, sound, or river within this State is hereby prohibited.

Any person, firm or corporation violating the terms of this Section, upon conviction, shall be fined not more than One Hundred (\$100.00) dollars or imprisoned not more than thirty days."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(185)

No. 101.

AN ACT to Provide for Election of School Trustees for School District No. 35 in Florence County.

Section 1. Trustees, School District No. 35, Florence County—appointment—term—vacancy.—Be it enacted by the General Assembly of the State of South Carolina: That the County Superintendent of Education of Florence County shall, on the first Tuesday in May, 1937, and on the same day in April of each year thereafter, call a meeting of the electors of School District No. 35 in Florence County to be held in some suitable place in said district, which said meeting shall be advertised each year, three weeks before the said date fixed and in three conspicuous places in said district, and at such meeting the electors attending shall organize as a mass meeting, consider their school needs and shall nominate and recommend to the County Board at the meeting held on the said day, one trustee to fill the vacancy occurring in 1937, and at each annual meeting thereafter the vacancy occurring on the said Board shall be filled in the same manner: *Provided*, That each trustee shall be appointed for only five (5) years: *Provided, Further*, That the County Superintendent of Education may fill any vacancy occurring in the Board of Trustees of said District, between elections, but such appointment to fill such vacancy shall be only until the succeeding mass meeting herein provided for.

§ 2. **Report annually.**—That at such annual meeting in said district the trustees shall make a report to the meeting of the financial affairs of the district which shall include an itemized statement of all

expenditures for the previous year, together with such recommendations as they may deem proper which report, with the minutes of the mass meeting of the electors, shall be forwarded by the Secretary of the meeting to the County Superintendent of Education and filed for record in his office as a public document.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(186)

No. 102.

AN ACT to Repeal Section 2-A of an Act Entitled "An Act Relating to the State Highway Patrol and the Enforcement of Motor Vehicle Laws", the Same Being Act Number 215, Acts of 1935, Approved the First Day of May, 1935, and Thereby Make Further Provision for the Use of Automobiles.

Section 1. § 2-A, act 215, 1935 Acts, repealed—motorcycles highway department exchange for automobiles.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2-A of an Act entitled "An Act Relating to the State Highway Patrol and the Enforcement of Motor Vehicle Laws", be and the same is hereby repealed.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 22nd day of March, 1937.

(187)

No. 103.

AN ACT to Fix the Compensation of the Master in Equity of Greenwood County.

Section 1. Compensation of master, Greenwood County.—Be it enacted by the General Assembly of the State of South Carolina: That the fees and cost of the Master in Greenwood County shall be as now provided by law, except that the Master shall receive as com-

mission on all monies collected by him, if under Three Hundred (\$300.00) Dollars, two (2%) per cent; if over that sum, 2% for the first Three Hundred (\$300.00), and one (1%) per cent for the balance; and one-half of one (1) per cent on all sums disbursed by him.

§ 2. All Acts or parts of Acts inconsistent herewith, are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 22nd day of March, 1937.

(188)

No. 104.

AN ACT to Authorize and Require Building Permits for Erection, Construction, Improvement and Alteration of Buildings in Charleston County Where Not Required by Municipal Ordinance, and to Provide Punishment for Violations Hereof.

Section 1. Permit required erect, construct, improve or alter any building outside limits of certain municipalities, Charleston County—exemptions.—Be it enacted by the General Assembly of the State of South Carolina: That it shall be unlawful to erect, construct, improve or alter any building or part of a building in the County of Charleston, outside the corporate limits of any incorporated city, town or other municipality in said county which by ordinance prescribes building permits, without first having obtained from the Magistrate in whose territorial jurisdiction the said building is located or is to be located, a written permit for such erection, construction, improvement or alteration: *Provided*, That the provisions of this Act shall not be applicable where the cost of any construction, erection, alterations, repairs or improvements shall not exceed One Hundred (\$100.00) Dollars, *Provided*, further, that the provisions of this Act shall not be applicable to routine upkeep or repair of manufacturing or industrial plants.

§ 2. **Apply for permits.**—That in order to secure such written permit, application in writing shall be made to and filed with the Magistrate authorized by this Act to issue the same; which application shall contain the specifications and plans and the costs of such erection, construction, improvement or alteration.

§ 3. Permit—form—inspection.—That upon filing with the Magistrate of the said application, he shall issue permit in the following form, to wit:

“This permit is void 12 months from date of
Issue or without signature of Magistrate of
District.

County of Charleston, S. C.

Office of

Magistrate of.....

Building Permit No.....

Date, 19.....

Plans and specifications having been filed in the Office by.....

.....this permit is therefore issued

for the {repair } of a.....
 {construction }
 {installation }

described as follows: Location.....

School District #.....: name of owner of land.....

.....: Name of Contractor.....

Material.....; No. of stories.....

Character of Roof.....; Cost \$.....;

Date of completion.....; Fee \$.....Received

.....
Magistrate.”

That the said permit when issued shall be kept at the building or place where such construction, erection, improvement or alteration is being done and on demand be produced by the person in charge of such work for inspection by any police officer, or any member of the Board of Assessment for said County, and it shall be unlawful to continue the said work after such demand unless and until said permit is produced for such inspection.

§ 4. Duty of magistrate issuing permit—permit fee—post statute.—It shall be the duty of the Magistrate issuing any permit as provided for in this Act to deliver to the Board of Assessment for said County and also to the County Auditor within five (5) days copies of the permit so issued. Each applicant at the time of securing any permit pay to the Magistrate an inspection and permit fee of fifty (.50) cents for each building covered in said permit. The Magistrate shall retain such fees to cover the costs of issuing permits and any and all other expenses in connection with the enforcement of this Act. Each

Magistrate in the portions of Charleston County affected by this Act shall post and keep posted a copy of this Act in his office and in two other public places in his district.

§ 5. **Penalty.**—Any person, firm or corporation violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not exceeding twenty-five dollars nor less than five dollars, or imprisonment not exceeding ten nor less than three days. In case of violation of the provisions of Section 1 hereof, each day that such violation is continued shall constitute a separate offense.

§ 6. All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency.

§ 7. This Act shall take effect upon its approval by the Governor.

This Act became effective when the Governor, to whom it was presented the 18th day of March, 1937, neither approved it nor returned it to the house in which it originated within three days, the General Assembly being in session.

(189)

No. 105.

AN ACT to Prohibit Any Member of the General Assembly of the State of South Carolina from Election by the General Assembly or Appointment by Any Executive Authority to Any Civil Office Under the Dominion of the State of South Carolina, Which Shall Have Been Created During the Time for Which Such Member was Elected to Serve in the General Assembly.

Section 1. General Assembly cannot elect nor executive authority appoint member of General Assembly, during time elected for, to civil office under dominion of the state, which was created during time such member elected to serve.—Be it enacted by the General Assembly of the State of South Carolina: No Senator or Representative shall, during the time for which he was elected, be elected by the General Assembly or appointed by any executive authority, to any civil office under the dominion of the State of South Carolina, which shall have been created during the time for which such Senator or Representative was elected to serve in the General Assembly of the State of South Carolina.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall become effective immediately upon its approval by the Governor.

Approved the 19th day of March, 1937.

(190)

No. 106.

AN ACT to Define and Provide Punishment for Kidnapping, and to Continue of Force All Prior Statutes Repealed or Superseded by This Act for the Purposes of Prosecutions for Offenses Committed Thereunder.

Section 1. Punishment unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away any other person and hold for ransom.—Be it enacted by the General Assembly of the State of South Carolina: Whoever shall unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away any other person by any means whatsoever, and hold such person for ransom or reward, except in a case where a minor is seized or taken by a parent thereof, shall be guilty of a felony, and, upon conviction, shall suffer the punishment of death: *Provided, However,* That in each case where the convicted person is found guilty of such felony, the jury may find a special verdict recommending him or her to the mercy of the Court, whereupon the punishment shall be reduced to imprisonment in the Penitentiary with hard labor during the whole lifetime of the convicted person: *Provided, Further,* That notwithstanding the foregoing provisions of this Section with respect to punishment of death, if the kidnapped person be released and returned alive prior to the opening of the trial, the death penalty shall not be imposed and the convicted person shall be punished by imprisonment in the same manner as though the jury had recommended him or her to the mercy of the Court.

§ 2. **Conspiracy violate § 1—punishment.**—If two or more persons enter into an agreement, confederation, or conspiracy to violate the provisions of Section 1 of this Act, and any of such persons do any overt act towards carrying out such unlawful agreement, confederation, or conspiracy, each such person shall be guilty of a felony, and, upon conviction, shall be punished in like manner as provided for the violation of said Section 1 of this Act.

§ 3. § 1122, 1932 Code, act 47, 1933 Acts, and act 651, 1934 Acts, repealed—such laws continue of force for prosecutions for

offenses committed thereunder.—That Section 1122 of the Code of Laws of South Carolina, 1932, relating to the kidnapping of a minor, and Act No. 47 of the Acts of 1933, entitled “An Act to Declare it a Felony to Receive or to Attempt to Take Money or Other Property, Under Threat of Kidnapping, or the Commission of Some Other Felony, and to Provide Punishment Therefor, and to Define Kidnapping and Provide a Penalty Therefor”, approved February 11, 1933, and Act No. 651 of the Acts of 1934, entitled “An Act to Declare the Attempted Abduction, Terrorizing and/or Detention of Any Person With the Purpose of Demanding Ransom for the Release of Such Person, the Plotting of Such Abduction, Terrorizing and/or Detention, to be a Felony; and to Provide a Penalty Therefor”, approved February 9, 1934, and each of them, be, and the same are hereby, repealed: *Provided, However,* That each and all of said provisions of law be, and the same are hereby, continued of full force and effect for the purpose of sustaining the arrest, indictment, trial, conviction, sentence and punishment of any person or persons who heretofore has been or hereafter may be indicted for the violation of the same or any of them.

§ 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 22nd day of March, 1937.

(191)

No. 107.

AN ACT to Amend Section 2846, Volume II, Code of Laws of South Carolina, 1932, by Extending the Right to Pay Taxes Under Protest and Recover Them Where Illegally Collected, to Purchasers and Mortgagees of Such Property and by Making the Remedies of Said Section as Amended Apply to Taxes Due to Any Incorporated City or Town.

Section 1. § 2846, 1932 Code amended—purchasers and mortgagees pay taxes under protest and recover same when illegally collected—remedies applicable to taxes due municipalities.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2846, Volume II, Code of Laws of South Carolina, 1932, be, and the same is hereby amended as follows:

(1) By inserting between the word "taken" and before the word "shall" on line 6, near the top of page 392, the words "or the then owner of the legal title or a mortgagee holding a lien thereon"

(2) By adding the following proviso at the end of said section: "Provided, Further, That the remedies and rights herein given for the payment under protest and the right of recovery shall apply equally to incorporated municipalities, with respect to city taxes, such payments under protest to be made by those entitled to pay the same, as hereinabove defined, to the City Treasurer or other officer of the city or town having authority to receive and collect taxes, and the suit to be brought against such city and the Treasurer, in the Court of Common Pleas for the county in which the property lies, and upon the trial, if judgment be for the plaintiff, the final order or judgment of the Court shall be certified to the City Treasurer or officer sued in said action, and thereupon the same shall be honored and the amount of taxes, with interest at six (6%) per cent. from the date of payment, shall be refunded to the plaintiff."; so that said section when so amended shall read as follows:

"Section 2846: In all cases in which any county, State or other taxes are now or shall be hereafter charged upon the books of any county treasurer of the State against any person, and such treasurer shall claim the payment of the taxes so charged, or shall take any step or proceeding to collect the same, the person against whom such taxes are charged, or against whom such step or proceeding shall be taken, or the then owner of the legal title or a mortgagee holding a lien thereon, shall, if he conceives the same to be unjust or illegal for any cause, pay the said taxes notwithstanding, under protest, in such funds and monies as the said County Treasurer shall be authorized to receive by the Act of the General Assembly levying the same; and upon such payment being made, the said county treasurer shall pay the taxes so collected into the State Treasury, giving notice at the time to the Comptroller General that the payment was made under protest; and the person so paying said taxes may at any time within thirty days after making such payment, but not afterwards, bring an action against the said county treasurer for the recovery thereof in the court of common pleas for the county in which such taxes are payable; and if it be determined in said action that such taxes were wrongfully or illegally collected, for any reason going to the merits, then the court before whom the case is tried shall certify of record that the same were wrongfully collected and ought to be

refunded, and thereupon the Comptroller General shall issue his warrant for the refunding of the taxes so paid, which shall be paid in preference to other claims against the treasury: *Provided*, That the county treasurers shall be required to receive jury and witness tickets for attendance upon the Circuit Courts of the State receivable for taxes due the county in which the said services are rendered. *Provided, Further*, That the remedies and rights herein given for the payment under protest and the right of recovery shall apply equally to incorporated municipalities, with respect to city taxes, such payments under protest to be made by those entitled to pay the same, as hereinabove defined, to the City Treasurer or other officer of the city or town having authority to receive and collect taxes, and the suit to be brought against such city and the Treasurer, in the Court of Common Pleas for the County in which the property lies, and upon the trial, if judgment be for the plaintiff, the final order or judgment of the court shall be certified to the city treasurer or officer sued in said action, and thereupon the same shall be honored and the amount of taxes, with interest at six (6%) per cent. from the date of payment, shall be refunded to the plaintiff."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 22nd day of March, 1937.

(192)

No. 108.

AN ACT to Amend Section 8227, Code of Laws of South Carolina, 1932, so as to Provide for the Filing, in Lieu of Recording, of Mortgages and Deeds of Trust Covering Property of a Railroad Company and the Appurtenant Franchises in the Office of the Secretary of State.

Section 1. § 8227, 1932 Code, amended—file in lieu of recording mortgages and deeds of trust covering property of railroad company and the appurtenant franchises in secretary of state's office.—Be it enacted by the General Assembly of the State of South Carolina: That Section 8227, Code of Laws of South Carolina, 1932, be, and the same is hereby, amended by striking out the word "recorded" on line 5 and line 11, and inserting in lieu thereof at each place the word "filed"; by inserting between the word "also" and

the word "in" on line 12 of said Section, the word "recorded"; and by adding at the end of said Section the following:

"Provided, before such mortgages or deeds of trust covering property of a railroad company and the appurtenant franchises can be filed by the Secretary of State, copies thereof shall be furnished in duplicate, one of which shall be given its proper file number, indexed and retained in his office, and the other shall be properly indorsed, giving the file number which it is to be found and returned, so that said Section, when so amended, shall read as follows:

"Section 8227. Mortgages or deeds of trust covering the whole or any part of the real or personal property of a railroad company and the appurtenant franchises shall be valid so as to affect from the time of their execution and delivery the rights of all subsequent creditors and purchasers, when filed within forty days from the execution and delivery thereof, in the office of the Secretary of State: *Provided*, That within six months thereafter such mortgages or deeds of trust shall be recorded also in the books provided for the recording of mortgages on real estate in the office of clerk of court or register of mesne conveyances of each county in which any part of the real property affected thereby is situated: *And Provided, Further*, That such mortgages or deeds of trust, if so filed in the office of the Secretary of State, and also recorded in the books provided for the recording of mortgages on real estate in the office of the clerk of court or register of mesne conveyances subsequent to the expiration of said period of forty days, shall be valid to affect the rights of all subsequent creditors and purchasers from the date of such record: *Provided*, That nothing herein contained shall be construed to affect the provisions of Section 8376, *Provided*, before such mortgages or deeds of trust covering property of a railroad company and the appurtenant franchises can be filed by the Secretary of State, copies thereof shall be furnished in duplicate, one of which shall be given its proper file number, indexed and retained in his office, and the other shall be properly indorsed, giving the file number under which it is to be found and returned."

§ 2. No effect on such instruments heretofore filed or recorded.—The provisions of this Act shall in no way affect such mortgages or deeds of trust covering property of a railroad company and the appurtenant franchises executed and filed or recorded prior to the effective date of this Act.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 22nd day of March, 1937.

(193)

No. 109.

AN ACT to Amend Section 4467 of the Code of Laws of 1932, so as to Provide for the Countersigning of Claims by the Purchasing Agent, and Also to Provide for the Disposition of Funds Derived from Grants and the Sale of Revenue Bonds.

Section 1. § 4467, 1932 Code, amended—purchasing agent countersign claims, Greenwood County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 4467, Vol. II, Code of Laws of South Carolina, 1932, as amended by Act No. 338 of the Acts of South Carolina, 1935, be, and the same is hereby amended by inserting after the word “supervisor” and before the word “same” on line 4 of said section the words “and purchasing agent”, so that when so amended said Section 2 of said Section 4467 shall read as follows:

Section 2. The approval of said finance board shall be necessary before any claim or voucher shall constitute a valid claim against Greenwood County; but when so approved and countersigned by the county supervisor and the purchasing agent same shall constitute a valid obligation against said county.

§ 2. Same—finance board accept, hold and disburse funds received from grants and sale of revenue bonds, Greenwood County—custodian for such funds.—That said Section 4467, Vol. II, Code of Laws of South Carolina, 1932, as amended by Act No. 338 of South Carolina, 1935, be further amended by adding sub-section 6 which shall read as follows: Sub-section (6) The finance board is hereby empowered to accept and hold all funds received from grants or the sale of revenue producing bonds and to keep such funds separate and apart from the general or ordinary funds of Greenwood County; and the said finance board is further authorized and empowered to designate a custodian for said fund, who shall furnish a surety bond in a sufficient amount to fully protect the interest of the County, and who shall hold said fund until legally disbursed by the order of a majority of said finance board of Greenwood County.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 22nd day of March, 1937.

(195)

No. 110.**AN ACT to Authorize and Empower the Board of Directors of Kershaw County to Borrow Money for Certain County Purposes.**

Section 1. Kershaw County borrow for certain current expenses.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Directors of the County of Kershaw is hereby authorized and empowered to borrow upon the credit of the County moneys to cover such current expenses of the County, not mentioned in the supply bill, as may be found absolutely necessary and essential for the welfare of the County, and to execute note or notes therefor at the lowest rate of interest obtainable, to become payable in not exceeding one year from the date thereof: *Provided*, That such expenditures, and the terms of the loan to provide the funds to meet the same, shall be first approved in writing by the entire legislative delegation from Kershaw County.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 22nd day of March, 1937.

(236)

No. 111.**AN ACT to Provide for Licensing of Persons Engaged in the Business of Becoming Surety for Hire on Certain Undertakings in Greenville County.**

Section 1. License required engage in business of becoming surety for hire on certain undertakings, Greenville County—application—license fee—duties of licensees—duties of officers accepting undertakings.—Be it enacted by the General Assembly of the State of South Carolina: That before any person, firm or corporation shall become surety for hire on any undertaking in any action, proceeding or case pending in the Circuit Court, County Court,

Probate Court or any of the Municipal Courts in Greenville County, he shall apply to and obtain from the Clerk of Court of Greenville County a license to engage in such business. Any such application shall state the name, residence, post office address, and business of the applicant, and shall include an itemized list of assets and liabilities, giving the kind of property, location, value, and encumbrance, if any, on same, and a list of all debts, giving the date of contract of each, when due, the name and address of the party to whom the same is due, and, if secured, the nature of the security, the amount of State and County taxes for the tax year immediately preceding the application, and whether paid or not, as well as the amount of all unpaid taxes, if any. If the Clerk of the Circuit Court of Greenville County be of the opinion that the applicant is a fit and suitable surety for any reasonable amount, he shall issue to the applicant a license upon his paying a license fee in the sum of one hundred (\$100.00) dollars. Such license shall show the date of the issuance thereof, the name and post office address of the licensee, and for one (1) year from such date the licensee shall be entitled to engage in the business of becoming surety for hire on bonds referred to above. The Clerk of the said Court shall keep a record of such licenses in a book for that purpose in which he shall enter the date of issuance, the name and address of the licensee. All such licensees, when offering thereafter as surety on any such undertaking, shall acquaint the officer, whose duty it is to approve the sufficiency thereof, with the number, if any, of such surety bonds on which he is at the time liable, and the amount of each such bond, and the case or proceeding, and the court in which given, and the names of the parties thereto, and the principal therein. No officer of Greenville County, whose duty it is to approve the sufficiency of any surety, shall accept as surety on any undertaking mentioned above any surety whose net worth, over and above his indebtedness and exemptions to which he may be entitled under the law, shall not be equal to or exceed the total liability of any such surety on undertakings theretofore executed by him and on which he has not been relieved of liability. It shall be the duty of the officer in all cases, before taking any such surety, to satisfy himself of the sufficiency thereof by employing such means and making such investigations as he may see fit, and he shall only give the information herein required to be furnished such weight in reaching his determination as to him the same shall seem to warrant under all of the circumstances.

§ 2. **Surety for hire defined.**—Any person shall be termed a surety for hire, as the term is used in this Act, if he receives any consideration or benefit, directly or indirectly, for becoming surety on any undertaking of the character hereinabove mentioned.

§ 3. **Penalty.**—Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not less than one hundred (\$100.00) dollars nor more than five hundred (\$500.00) dollars, or a term of imprisonment for not less than sixty (60) days nor more than one (1) year, in the discretion of the court.

§ 4. **Exemptions.**—*Provided, However,* That the provisions of this Act shall not apply to any person, firm or corporation duly licensed by the Insurance Commissioner of the State of South Carolina, to engage in writing contracts of suretyship in this State.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of March, 1937.

(200)

No. 112.

AN ACT to Authorize the Board of County Directors of Chester County to Let the Transportation of Convicts for Chester County to the Penitentiary by Contract to Lowest Bidder, or to Transport Them by Regular Employees of the County.

Section 1. Transportation of convicts to state penitentiary, Chester County.—Be it enacted by the General Assembly of the State of South Carolina: The Board of County Directors is authorized to let the transportation of convicts from Chester County to the penitentiary by contract to the lowest bidder, and they are authorized to receive sealed bids for that purpose: *Provided*, the successful bidder, if he is not already a peace officer under bond, shall be made a peace officer for the purpose of transporting prisoners, and shall be required to give surety bond in the sum of five hundred (\$500.00) dollars for the faithful performance of his duty; shall be required to pay the bond premium himself, and the bond shall be in such form as now required by law for other peace officers and be made payable to the County Board of Directors: *Provided*, the County Board of Directors for the transporting of prisoners, as hereinabove provided

may use the County's equipment and one or more of the County's employees for the purpose of transporting prisoners as provided: *Provided Further*, That one of the said employees must be a peace officer under bond as hereinabove provided and must qualify as a peace officer, and that he may be a peace officer as a special deputy appointed by any Magistrate in Chester County, on request of the County Board.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 24th day of March, 1937.

(201)

No. 113.

AN ACT to Amend Subdivision 14 of Section 5414, Volume II Code of Laws of South Carolina, 1932, by Striking Out Said Subdivision and Renaming the Three High School Districts of Georgetown County, the Component School Districts Thereof and Providing for the Appointment and Term of High School Boards of Trustees Therefor.

Section 1. § 5414, 1932 Code, amended—high school districts, Georgetown County—trustees.—Be it enacted by the General Assembly of the State of South Carolina: That, in order to correct certain typographical errors and to clarify the procedure for appointment of High School Boards of Trustees, Subdivision 14, Section 5414, Code of Laws of South Carolina, 1932, relating to the three high school districts of Georgetown County, be and the same is hereby amended by striking out said Subdivision 14 and inserting the following in lieu thereof to be known and designated as Subdivision 14 of said Section:

“(14). The three following high school districts are hereby created and established in Georgetown County, which shall be bodies corporate and shall exercise all the privileges and powers of such, subject to the existing school laws where applicable, except as same may be changed or modified by this section or any of its subdivisions or amendments thereto, to wit:

Georgetown High School District: This high school district shall be composed of Winyah Indigo School District No. 5, Johnson, Santee, Waverly, Murrell's Inlet, Mt. Tabor and Plantersville common

school districts as now or heretofore delineated by the Georgetown County Board of Education.

Union High School District: This high school district shall be composed of Wilson School District No. 17, Smith Mills, Choppee, Barnes, Center, Good Hope and Pleasant Hill common school districts as now or heretofore delineated by the Georgetown County Board of Education.

Andrews High School District: This high school district shall be composed of Rosemary School District No. 8-A, Oak Grove, Cedar Creek, Boetee, Newfound, Black River, McKenzie and Big Dam common school districts as now or heretofore delineated by the Georgetown County Board of Education.

The boards of trustees of the above named high school districts shall be appointed by the County Board of Education and be composed of as many members, not less than three, as the County Board of Education may direct, whose term of office shall be for two (2) years from the date of their appointment or until their successors are appointed and qualified, *Provided, However*, that the said County Board, in its discretion, may so arrange the respective terms of members of each of such high school boards of trustees first officially appointed hereunder as to provide for expiration of terms in successive years."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 24th day of March, 1937.

(202)

No. 114.

AN ACT to Amend Section 2 of Act No. 849 of the Acts of South Carolina, 1934, Entitled "An Act to Amend an Act Entitled 'An Act Regulating Persons, Corporations and Municipalities Engaged in the Generation, Transmission, Delivery or Furnishing of Electricity for Light, Heat or Power, Prescribing the Duties of the Railroad Commission in Relation Thereto, and Prescribing Penalties for Violation of the Provisions Thereof', " so as to Eliminate so Much of the Proviso in Said Section as Prohibits Regulation by the Public Serv-

ice Commission of Contracts Made by Municipalities for Wholesale Purchase of Electric Energy for Resale.

Section 1. Act 849, 1934 Acts, amended—provision prohibiting public service commission regulate contracts made by municipalities for wholesale purchase of electric energy for resale eliminated—rates municipalities charge.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2 of Act No. 849 of the Acts of South Carolina, 1934, entitled “An Act to Amend an Act Entitled ‘An Act Regulating Persons, Corporations and Municipalities Engaged in the Generation, Transmission, Delivery or Furnishing of Electricity for Light, Heat, or Power, Prescribing the Duties of the Railroad Commission in Relation Thereto, and Prescribing Penalties for Violation of the Provisions Thereof’”, be and the same is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“Section 2. Amend sub-section (a) of Section 8 of said Act by inserting on line three between the words “made” and “with” the words “prior to 24th March, 1922”; amend said sub-section further by inserting between the words “act” and “it” on the sixth line of said sub-section the words “all charges established by any franchise or municipal contract subsequent to March 24, 1922, shall be subject to the regulatory powers of the Commission and may be changed by it for proper cause under the provisions of this Act”; amend sub-section (a) further by inserting after the words “and of the United States” the words “provided the Commission shall not be empowered to regulate any contracts made by any municipality with its customers, *Provided*, That nothing in this Act shall be construed as permitting the regulation by the South Carolina Utilities Commission of the rates to be charged by any municipal plant to any of its customers, whether these customers be other municipalities, persons, firms or corporations,” so that sub-section (a) of Section Eight when so amended shall read as follows:

“(A) All charges for electricity for light, heat or power heretofore established by any franchise granted to or contract made prior to 24th March, 1922, with any person or corporation by any municipality, pursuant to and under the authority of the laws of this State, are to be deemed excepted from the regulatory powers of the Commission and to be unaffected by the provisions of this Act, all charges established by any franchise or municipal contract subsequent to March 24, 1922, shall be subject to the regulatory powers of the

Commission and may be changed by it for proper cause under the provisions of this Act, it being the purpose of this Act to regulate such charges only to the extent that it may be done consistently with the constitution of this State and of the United States, provided the Commission shall not be empowered to regulate any contracts made by any municipality with its customers, *Provided*, that nothing in this Act shall be construed as permitting the regulation by the South Carolina Utilities Commission of the rates to be charged by any municipal plant to any of its customers, whether these customers be other municipalities, persons, firms or corporations."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 27th day of March, 1937.

(204)

No. 115.

AN ACT to Amend Section 5518 of the Code of Laws of South Carolina, 1932, Relating to the Election of Trustees for School District No. 1 in Calhoun County, so as to Provide that Qualified Electors Only Shall be Eligible to Serve as Such Trustees.

Section 1. § 5518, 1932 Code, amended—trustees, School District No. 1, Calhoun County, be qualified electors of such district.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5518 of the Code of Laws of South Carolina, 1932, be and the same is hereby amended by striking out the words "patron of the school in said district" on lines 15 and 16 and inserting in lieu thereof the following, "qualified elector residing in said School District", so that when so amended said section shall read as follows:

"Section 5518. The Superintendent of Education for Calhoun County shall issue a call to the citizens residing in school district No. 1, Calhoun County, for a meeting of such citizens to be held on or before the third Tuesday in April, nineteen hundred and twenty-nine, and every two years thereafter for the purpose of nominating trustees for said district the time and place of meeting to be named by said Superintendent, notice of which shall be published in one of the newspapers having circulation in said county, and shall be posted in at least three public places in said District for at least two weeks

prior thereto: *Provided*, That in case said Superintendent shall fail to issue call for said meeting as herein required, any three patrons of said school may call such meeting by giving notice in the manner hereinabove provided, any white male citizen of this State who resides within said District and returns real or personal property for taxation or any bona fide resident of said District who is a patron of said school, twenty-one years of age or over, shall be eligible to vote, and take part in the proceedings of such meeting, and no person shall be selected as trustee who is not a qualified elector residing in said School District. Having assembled pursuant to the call of said Superintendent or said patrons, said citizens shall elect from their number a chairman who shall preside over the meeting and a secretary who shall record all proceedings thereof, and said citizens shall nominate, under such rules of procedure as they shall by majority vote adopt, three trustees for said school district; and said secretary shall forthwith report the names of those so nominated, certified by the chairman, to the Board of Education for Calhoun County. Upon receipt of the report, as provided above, the Board of Education for Calhoun County shall appoint as trustees of said school district No. 1, those nominated in accordance with the provisions of this section, and said trustees shall hold office for the term of two years from the date of their appointment and until their successors are appointed and qualified, and, when they have duly qualified, they shall be charged with all the duties and vested with all the powers as now provided by law for such trustees."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 24th day of March, 1937.

(206)

No. 116.

AN ACT to Amend Section 7403, Volume 3, Code of Laws, 1932, by Providing for the Election of the Intendant and Wardens of the Town of Chesterfield, and Fixing Their Term of Office.

Section 1. § 7403, 1932 Code, amended—intendant and wardens, town of Chesterfield—election—term.—Be it enacted by the

General Assembly of the State of South Carolina: That Section 7403, Volume 3, Code of Laws, 1932, be, and the same is hereby, amended by adding at the end of said section the following: *Provided, Further*, That in the Town of Chesterfield the Intendant and Wardens shall be elected on the second Tuesday in April, 1937, for a term of two (2) years, and until their successors shall have been elected and qualified, commencing on the 15th day of April, 1937, and that thereafter the said officers shall be elected on the second Tuesday in April of odd years, for a term of two (2) years, and until their successors have been elected and qualified, commencing on the 15th day of April of odd years", so that said section when so amended shall read as follows:

"Section 7403. The officers of such town shall be an intendant and four wardens, who shall be citizens of the United States, and shall have been residents of said town for four months immediately preceding said election. Said officers shall be elected annually and at such place in each town as the intendant and wardens shall designate, ten days' public notice being previously given. They shall hold their offices for a term of one year and until their successors shall have been elected and qualified: *Provided, However*, That in the town of Andrews in the County of Georgetown and in the towns of Moncks Corner and Bonneau in the County of Berkeley and the town of McClellanville, in Charleston County, said officers shall be elected every two years, and their term of office shall be for two years and until their successors shall have been elected and qualified. *Provided, However*, That in the town of Clio, in the County of Marlboro, said officers shall be elected every two (2) years and their term of office shall be for two (2) years, and until their successors shall have been elected and qualified, *Provided*, That in the Town of Chesterfield there shall be held a primary for the nomination of an intendant and wardens before such persons are elected to said offices. *Provided, Further*, That in the town of Lynchburg, in the County of Lee, said officers shall be elected every two (2) years and their term of office shall be for two (2) years, and until their successors shall have been elected and qualified. *Provided, Further*, That in the town of Chesterfield the Intendant and Wardens shall be elected on the second Tuesday in April, 1937, for a term of two (2) years, and until their successors shall have been elected and qualified, commencing on the 15th day of April, 1937, and that thereafter the said officers shall be elected on the second Tuesday in April of odd years,

for a term of two (2) years, and until their successors have been elected and qualified, commencing on the 15th day of April of said odd years."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act to take effect upon its approval by the Governor.
Approved the 24th day of March, 1937.

(207)

No. 117.

AN ACT to Require Additional Copies of Certain Publications to be Delivered to the Law Library of the University of South Carolina, and to Authorize the Exchange Thereof, and Provide for Cataloguing.

Section 1. Deliver additional copies of certain publications to law library, University of South Carolina.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the approval of this Act the officials charged with the distribution of such publications shall deliver to the law library of the University of South Carolina the following number of such publications in addition to those now by law delivered to said law library, not later than thirty (30) days after they are printed from time to time: Twenty-five (25) copies of the Acts of the General Assembly, seven (7) copies of the Acts and Joint Resolutions of the General Assembly, twenty-five (25) copies of the proceedings of any Constitutional Convention of the State of South Carolina, twenty-five (25) copies of the Code of Laws of South Carolina, and forty-eight (48) copies of the Reports of the Supreme Court of South Carolina.

§ 2. **Exchange such publications—catalogue and arrange.**—That the officials of the law library of the University of South Carolina are hereby authorized and directed to exchange all or any part of the publications enumerated in Section I of this Act for publications relating to government useful to students of law and public officials, and shall catalogue and arrange such material so as to make it serviceable to members of the General Assembly.

§ 3. That all Act or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 24th day of March, 1937.

(208)

No. 118.

AN ACT to Amend Sub-division (b) of Section 14 of an Act Entitled "An Act to Provide a System of Workmen's Compensation in the State of South Carolina, and to Further Provide for Securing the Payment of Such Compensation", Known as 610 of the Acts of 1936, so as to Exempt State and County Fair Associations.

Section 1. Act 610, 1936 Acts, amended—state and county fair associations exempted.—Be it enacted by the General Assembly of the State of South Carolina: That sub-division (b) of Section 14 of an Act entitled "An Act to Provide a System of Workmen's Compensation in the State of South Carolina, and to Further Provide for Securing the Payment of Such Compensation", be, and the same is hereby amended by adding after the word "mills" and before the word "unless" in line 9 of sub-division (b) of said Act, the following: "and State and County Fair Association", so that said Section when so amended shall read as follows:

"Section 14 (a) This Act shall not apply to railroads or railroad employees nor in any way repeal, amend, alter or affect the laws of this State, relating to the liability of railroads for injuries to employees; nor, upon the trial of any action in tort for injuries not coming under the provisions of this Act, shall any provision herein be placed in evidence or be permitted to be argued to the jury.

"(b) This Act shall not apply to casual employees, farm laborers, Federal Employees in South Carolina and domestic servants; nor to any person that has regularly employed in service less than fifteen employees in the same business within this State, nor to employees or employers principally engaged in the business of operating a saw mill, and/or manufacturing of shipping containers, nor to logging operations and work incident thereto, nor to employees or employers engaged in the production of turpentine, nor to steam laundries, rock quarries, sand mines, and oil mills, and State and County Fair Associations, unless such employees and employers, voluntarily elect to be bound by this Act, as provided for in Section 5, Sub-division (b).

"(c) This Act shall not apply to State, County or Municipal prisoners and convicts.

"(d) This Act shall not apply to persons, firms, or corporations engaged in selling agricultural products for the producers thereof

on commission or for other compensation, paid by the producers, provided the product is prepared for sale by the producer."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 26th day of March, 1937.

(209)

No. 119.

AN ACT to Amend Section 8396, Code of Laws of South Carolina, 1932, Relating Inter Alia to Toilet Compartments on Coaches of Trains, so as to Make Further Provisions With Reference to Toilet Compartments, and by Changing "Railroad Commission" Therein to "Public Service Commission".

Section 1. § 8396, 1932 Code, amended—toilet compartments for first class coaches and cabins—railroad commission changed to public service commission.—Be it enacted by the General Assembly of the State of South Carolina: That Section 8396, Code of Laws of South Carolina, 1932, be and the same is hereby amended, by striking out said Section and inserting in lieu thereof the following, to be known as Section 8396:

"Section 8396: All railroad and steam ferries and railroad companies engaged in this State as common carriers of passengers for hire, shall furnish separate coaches or cabins for the accommodation of white and colored passengers: *Provided*, equal accommodations shall be supplied to all persons without distinction of race, color or previous condition, in such coaches or cabins: *Provided, Further*, That all first class coaches and cabins shall be provided with a toilet compartment at each end of such coaches or cabins; on one of which compartments shall be placed the word "women" and on the other compartment shall be placed the word "men"; the toilet compartment for women shall be provided with a hopper seat, and, in addition, either with seats for at least two persons, or a lavatory, as the carrier may elect. The Public Service Commission of this State shall, at a hearing upon due notice to all railroads, steam ferries and railroad companies engaged in this State as common carriers of passengers for hire, to which this Section shall apply, determine when said carriers shall make the changes contemplated and provided for in this article."

§ 2. All Acts or parts of Acts inconsistent with this Act are repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 24th of March, 1937.

(210)

No. 120.

AN ACT to Amend Section 8356 of the Code of Laws of South Carolina of 1932, Volume 3, Relating to Signs at Railroad Crossings, in Respect of the Location of Such Signs and the Words Thereon.

Section 1. § 8356, 1932 Code, amended—signs at railroad crossings—location—words on.—Be it enacted by the General Assembly of the State of South Carolina: That Section 8356 of the Code of Laws of South Carolina of 1932, Volume 3, be and the same is hereby amended by striking therefrom the sentence reading: "Said sign shall be elevated so as to be easily seen by travelers, and on each side of the same shall be printed in large letters the words 'Railroad Crossing,'" and inserting in lieu thereof a sentence reading: "Said sign shall be elevated so as to be easily seen by travelers, and on each side of the same shall be printed in large letters the words 'Railroad Crossing:' *Provided, However,* that the Railroad corporation shall have the election of placing two of such signs at each crossing, one on each side of the track or tracks, and when it so elects each of said signs may have thereon in large letters, only on the side facing the traffic approaching the crossing, the words 'Railroad Crossing:'" so that said Section, when so amended, shall read as follows:

"Section 8356. Every railroad corporation shall cause signs to be placed, and constantly maintained, alongside of each public road or street where the same is crossed by the railroad on the same level. Said sign shall be elevated so as to be easily seen by travelers, and on each side of the same shall be printed in large letters the words 'Railroad Crossing:' *Provided, However,* that the railroad corporation shall have the election of placing two of such signs at each crossing, one on each side of the track or tracks, and when it so elects each of said signs may have thereon in large letters, only on the side facing the traffic approaching the crossing, the words 'Railroad Crossing.' But this Section shall not apply to streets in cities, towns and villages unless the corporation be required to put up such sign by the officers having charge of such streets."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 26th day of March, 1937.

(215)

No. 121.

AN ACT Relating to the Qualification, Registration and Enrollment of Voters and the Manner of Holding Municipal Primary Elections in Cities of This State Having a Population of Not More Than 29,000 and Not Less Than 25,000 According to the United States Census of 1930.

Section 1. Primary elections nominate mayor and councilmen in cities of 25,000 and not over 29,000—time—board of commissioners of election and board of managers of elections conduct—duties of political parties—challenge voters—candidates—ballots—votes receive elect—second primary—duties of supervisors of registration—time register.—Be it enacted by the General Assembly of the State of South Carolina: That in cities in this State having a population of not more than 29,000 and not less than 25,000 according to the United States Census of 1930, there shall be no party primary nominations of any person as a candidate for mayor or councilman, unless the said party primary election be conducted and the qualifications for suffrage therein be enforced as herein provided. The primary election of any party for nominating mayor and councilmen shall be held on the second Tuesday preceding the municipal election, and shall be conducted by the duly appointed Board of Commissioners of elections and Board of Managers of elections for the said municipal election, who shall be paid as for the holding of said municipal election, and shall conduct the primary elections at the same places and in the same manner, having a separate box for each organized political party in said city, and for any violation of the law governing the same shall be subject to the same punishment as in violation of the law governing other elections: *Provided, However,* That no person shall be allowed to vote in any party primary election unless he be a member of said party and made oath to that effect, as provided by the rules of said party: *Provided, Further,* That no primary election shall be held by any political party unless the chief officer or officers in its city organization shall notify the mayor and the chairman of the Board of Com-

missioners of elections for the municipal election at least five days before the time for the holding of the party primary election that the said political party desires a primary election, and at such primary election three members of such political party, duly appointed for the purpose by the proper officers of the party, shall have the right to be present at each polling precinct and advise the managers if any person offering to vote in said primary be not a member of said party and file protest as ground for legal contest in case such person be allowed to vote by the legal managers. No ballot cast in said primary election shall be counted for any person who shall not have filed with the chairman of the Board of Commissioners of elections the pledge as to corrupt practices and the itemized statements as to expenditures, as provided in an Act making certain offenses in primary elections, misdemeanors and prescribing penalties therefor, approved March 6, 1905, Volume XXIV of the Statutes at page 949. The Board of Commissioners of elections shall cause the names of all candidates in the primary election, classed according to their party affiliation, to be published in the daily newspapers of the city from the time that they have become qualified as candidates up to and including the day of the primary election; and the said board shall provide the printed ballots to be used in the said party primary elections, the names of candidates for mayor and, also separately, the names of the candidates for councilmen, arranged alphabetically, the ballots in each case to bear the words "Vote for (number to be elected)". The candidate receiving the largest majority vote shall be declared elected. In case a primary election does not result in a majority and larger vote for the number of persons to be elected in the regular municipal election, a second primary shall be had on the seventh day after the first primary, in which second primary the ballots shall contain, for each position for which choice is to be made the names of two persons—those receiving the highest vote at the preceding primary election: *Provided, Further,* That the supervisors of registration in all counties containing municipalities having a population of not more than 29,000 and not less than 25,000 according to the United States census of 1930, be required to open the books of registration for a period of twenty days for primary elections. The said period of registration to close thirty days before said primary elections: *Provided* for 1937 election purposes only so much of the thirty (30) day closing period shall be enforced as remains possible after passage of this Act, taking into consideration

required advertising notice and the twenty (20) day enrollment period. Notice of the opening of books for the purpose of registration shall be given by advertising same in the papers of the county for at least five days, giving time and date of opening and closing of said books. The hours for registration shall be from 12 m. to 8 p. m. each day. The supervisors of registration shall receive three dollars each per day as additional compensation to that now provided by law. *Provided, Further,* That the board of commissioners of election of cities having a population of not more than 29,000 and not less than 25,000 according to the United States census of 1930 shall allow registration for twenty (20) days consecutively up to thirty (30) days preceding the first primary election. *Provided, Further,* That at the end of the registration or enrollment period, the chairman of the board of commissioners of elections shall immediately deliver to the city clerk the registration or enrollment books, and such books shall be kept under his custody, subject to public inspection, until after the final election. No names shall be placed on books after end of registration or enrollment period by Court order or otherwise.

§ 2. Give age and address when enrolling—reside within city enroll or vote.—Persons enrolling for the purpose of voting in city primary elections of cities having a population of not more than 29,000 and not less than 25,000 according to the United States census of 1930 shall write opposite their names their age, the number and name of the street at which they reside, and only persons duly residing within the corporate limits of said cities shall be allowed to enroll or vote in city primary elections.

§ 3. Rules and regulations applicable.—That the same rules and regulations governing State and County democratic primary elections shall be applicable to municipal primary elections held under this act.

§ 4. Application of act—general election.—The provisions of this Act shall be applicable only to municipal primary elections in cities having a population of not more than 29,000 and not less than 25,000 according to the United States census of 1930, and the municipal general elections in such cities shall be conducted as now provided by law.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 27th day of March, 1937.

(216)

No. 122.**AN ACT to Permit, at Any Time, the Hunting, Shooting, Trapping, Catching and Killing of Foxes in Lexington, Bamberg and Darlington Counties.**

Section 1. Hunt, shoot, trap, catch and kill foxes any time, Bamberg, Darlington and Lexington Counties.—Be it enacted by the General Assembly of the State of South Carolina: There shall be no closed season for the hunting, shooting, trapping, catching and killing of foxes in Lexington, Bamberg and Darlington Counties, and it shall be lawful at any time to hunt, shoot, trap, catch or kill foxes in Lexington, Bamberg and Darlington Counties.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 24th day of March, 1937.

(217)

No. 123.**AN ACT Requiring All Fees Collected by County Officers of Cherokee County to be Paid Into the Treasury of Said County, and Providing for the Compensation of the Officers of Said County on a Salary Basis.**

Section 1. Officers pay fees collected into treasury, Cherokee County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after January 1, 1938, all fees collected by any officer of Cherokee County, as provided for by law, shall be paid over to the Treasurer of Cherokee County and by him credited to such fund or funds as may be directed by the Legislative Delegation of said County.

§ 2. Cherokee County officers receive salaries.—That from and after the 1st day of January, 1938, all officers of Cherokee County shall receive as compensation for their services such salaries as may hereafter be fixed by law.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 24th day of March, 1937.

(218)

No. 124.

AN ACT to Amend Section 1802, Code of Laws of South Carolina, 1932, so as to Reduce the Fee Required for Obtaining Non-resident Fishing License and Providing Penalties for Violation Thereof.

Section 1. § 1802, 1932 Code, amended—non-resident fishing licenses—fees—penalty.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1802, Code of Laws of South Carolina, 1932, be, and is hereby, amended by striking out all of said Section and inserting in lieu thereof the following:

“Section 1802. All non-residents of this State, before fishing for game or other fish in any manner in the inland streams or waters of this State, shall first procure a non-resident fishing license, the fee for which shall be Five and 25/100 (\$5.25) Dollars. *Provided*, a temporary license shall be granted to any non-resident applying therefor upon payment of a fee of One and 10/100 (\$1.10) Dollars, which license shall authorize the holder thereof to exercise the privileges thereby granted for the period of two consecutive days only during the calendar year in which said license may be issued. The above mentioned license shall be in form and design as designated by the Chief Game Warden and shall be carried upon the person of the licensee at all times when fishing. It shall be unlawful to alter or to change the date or to back date any license by the licensee, the selling agent or other person, and upon the violation of this Act the license shall immediately be forfeited to the State of South Carolina. Any person violating the provisions of this Section shall, upon conviction, be punished by a fine of not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars, or be imprisoned for a period not exceeding thirty (30) days for each and every offence.”

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 24th day of March, 1937.

(219)

No. 125.

AN ACT to Amend Act No. 304 of the Acts of South Carolina, 1935, Entitled "An Act to Provide for the Sterilization of Mental Defectives and Insane Persons and the Procedure Thereof" by Striking Out All of Said Act and Inserting in Lieu Thereof a New Act Entitled, "An Act to Provide for the Sterilization of Mental Defectives and Insane Persons and the Procedure Thereof."

Section 1. Act 304, 1935 Acts, amended—sterilization of mental defectives and insane persons.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 304 of the Acts of South Carolina, 1935, entitled, "An Act to Provide for the Sterilization of Mental Defectives and Insane Persons and the Procedure Thereof", approved May 17, 1935, be, and it is hereby amended by striking out all of said Act and inserting in lieu thereof a new Act to read as follows:

§ 2. Executive committee of state board of health may order certain inmates of penal or charitable institutions to be sterilized—petition therefor—service of petition—hearing on petition—guardian ad litem represent inmate—evidence—keep records.—Whenever the Superintendent, or any other person or persons in charge of any penal or charitable institution of this State shall be of the opinion that it is for the best interest of the inmates of the institution of which he is Superintendent, or person in charge, that any inmate of such institution who is afflicted with any hereditary form of insanity that is recurrent, idiocy, imbecility, feeble-minded or epilepsy should be sexually sterilized, such Superintendent, or other person in charge, shall present to the Executive Committee of the State Board of Health, of this State, a written petition stating the facts of the case, and the grounds of his opinion verified by his affidavit to the best of his knowledge and belief, and praying that an order may be entered by the said Committee authorizing him to perform or have performed by some competent physician, or surgeon to be designated by him in his petition, or by the Committee in its order, upon such inmate named in such petition, at one of the institutions of the State, the operation of vasectomy, if upon a male, and of salpingectomy, if upon a female, or such other safe and proper operation as medical science may provide to accomplish such purpose.

A copy of such petition shall be served upon such inmate named therein, together with a notice in writing designating the time and

place in said institution, not less than thirty (30) days before the presentation of such petition to the Executive Committee of the State Board of Health, when and where the Committee will hear and act upon such petition. If such inmate has a parent, child, brother, sister, guardian or committee residing in this State whose name and place of residence are known to such Superintendent, a copy of such petition and notice shall be served upon such parent, child, brother, sister, guardian, or committee, whichever may be first found upon whom such service may be made. If such notice cannot be served, the Superintendent shall file a copy of such petition in the office of the Clerk of Court of the County where the inmate last resided, if known; and a certificate of the Sheriff of the County where such patient has had his or her residence, if known, shall be filed with the Executive Committee of the State Board of Health, and no further service of process shall be had.

After the notice required by this Act shall have been given as herein provided, the Executive Committee of the State Board of Health, at the time and place named therein, with such reasonable continuances from time to time and from place to place as the Committee may determine, shall proceed to hear and consider the said petition and the evidence offered in support of and against the same. For every such inmate the Committee shall appoint a guardian *ad litem* who must be present at the hearing to defend the rights and interests of such inmate. And the Committee shall see to it that such inmate shall have leave and opportunity to attend such hearings in person, if desired by him, or by his parent, guardian or committee served with such petition as aforesaid.

The Executive Committee of the State Board of Health may receive and consider as evidence at such hearing the commitment papers and other records of such inmate in any of the aforesaid State Institutions as certified by the Superintendent or Superintendents thereof, together with such other legal evidence as may be offered by any party to the proceeding. Any member of the Committee shall have the power to administer oaths to the witnesses at such hearings. Depositions may be taken by any party after due notice as in pending cases and such depositions may be read in evidence pertinent to the issue: *Provided, However,* That no deposition shall be read against such inmate, except with the consent of his guardian *ad litem*, unless it be taken in the presence of the guardian *ad litem* or upon interrogatories agreed on by him. The Committee shall preserve and

keep all record evidence offered at such hearings, and shall have all oral evidence heard thereat reduced to writing and preserved and kept with its records. Any party to the proceedings shall have the right to be represented by counsel at such hearings.

The Executive Committee of the State Board of Health may deny the prayer of said petition, or, if the Committee shall find that such inmate is insane, idiotic, imbecile, feeble-minded or epileptic, and by the laws of heredity is or would be the probable potential parent of socially, inadequate offspring likewise afflicted, that such inmate may be sexually sterilized without detriment to his or her general health; and that the welfare of such inmate and of society will be promoted by such sterilization, it may by order authorize such Superintendent to have performed, or cause to be performed by some competent physician or surgeon named in such order, upon such inmate, after not less than thirty (30) days from the date of such order, such suitable and safe operation as medical science may have devised to render such patient or inmate sterile.

§ 3. Appeal.—From any such order so entered by the Executive Committee of the State Board of Health, any party or parties, interested therein shall have the right of appeal to the Circuit Court in the same form and manner as is now provided by law for appeals from inferior Courts to the Circuit Courts, and the right of appeal shall be preserved to the Supreme Court in the same form and manner as appeals are now had from the Circuit Court of this State to the Supreme Court, and such notice of appeal shall act as a stay of further proceeding pursuant to terms of said order until such appeal, or appeals, have been finally disposed of.

§ 4. Perform operation if ordered—exceptions.—Whenever any such order shall be made as herein provided by the Executive Committee of the State Board of Health, or such circuit court, or the Supreme Court of this State, authorizing such Superintendent to perform, or cause to be performed by some competent Physician or surgeon named therein, such operation hereinbefore mentioned, such Superintendent, upon the expiration of any stay of proceedings under any such order, shall be authorized to perform or cause to be performed by the physician or surgeon named in such order, such operation pursuant to such order, unless in the meantime, some physical or mental disability of such patient or inmate shall indicate the advisability of postponing or abandoning such operation.

§ 5. **Liability of participants.**—Neither any Superintendent nor other person legally participating in the execution of the provisions of this Act shall be liable either civilly or criminally on account of such participations.

§ 6. **Operation.**—Nothing in this Act shall be construed to authorize the operation of castration nor the removal of sound organs from the body; but this provision shall not be construed so as to prevent the medical or surgical treatment for sound therapeutic reasons of any person in this State, by a physician or surgeon licensed by this State, in such a way as may incidentally involved the nullification or destruction of the reproductive functions.

§ 7. **Pay of guardian ad litem.**—Any guardian *ad litem* appointed by the Executive Committee of the State Board of Health or by a circuit Court pursuant to this Act to defend the rights and interest of any inmate of any State Institution named herein in proceedings hereunder shall be paid by such institution for his services such fees, not exceeding ten (\$10.00) dollars, as may be allowed by the Executive Committee of the State Board of Health, or by the Circuit Court in case of appeal.

§ 8. **Inmate or representative designate physician perform operation.**—Nothing herein contained shall prevent such inmate or his or her family, or committee or guardian from employing any duly licensed physician to perform such operation, *Provided*, the fee of such surgeon so employed is paid by such inmate, or his or her family, guardian or committee pursuant to such employment.

§ 9. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 10. This Act shall take effect upon its approval by the Governor.

Approved the 24th day of March, 1937.

(221)

No. 126.

AN ACT to Repeal Act No. 30 of the Acts of the General Assembly of South Carolina, 1933, Approved February 4, 1933, and Entitled "An Act to Establish a Civil and Criminal Court for a Certain Portion of Oconee County, to Fix Its Jurisdiction, to Provide for Its Officers, Their Appointments or Election, to Provide Remuneration, Term of Office, and to Define Their Powers and Prescribe Their Duties", and to

Provide for the Transfer of Cases Pending in the Civil and Criminal Court of Oconee County to the Circuit Court and to Provide for the Termination of Terms of Office of the Officers and Employees of Said Civil and Criminal Court.

Section 1. Act 30, 1933 Acts, repealed—civil and criminal court for portion of Oconee County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 30, of the Acts of the General Assembly of South Carolina, 1933, approved February 4, 1933, and entitled "An Act to Establish a Civil and Criminal Court for a Certain Portion of Oconee County, to Fix Its Jurisdiction, to Provide for Its Officers, Their Appointments or Election, To Provide Remuneration, Term of Office, And to Define Their Powers and Prescribe Their Duties", be, and the same is hereby repealed.

§ 2. Terms of employees ended.—That the terms of office of the Judge, Prosecuting Attorney, and all employees of the Civil and Criminal Court of Oconee County is hereby terminated.

§ 3. Causes transferred—bonds and recognizances returnable to general sessions court.—That all matters, civil and criminal, now pending before the Civil and Criminal Court of Oconee County, are hereby transferred to the Court of Common Pleas and General Sessions Court of said County, respectively, and all bonds and recognizances in criminal cases pending in said Civil and Criminal Court are hereby made returnable before the Judge of the Court of General Sessions of Oconee County at 10 A. M. on the first day of the term of the Court of General Sessions for Oconee County next ensuing.

§ 4. Judge pass order providing for transfer of causes and for return of bonds and recognizances.—That the Judge of said Civil and Criminal Court shall, within five (5) days after the approval of this Act by the Governor, pass an Order, containing the provisions set out in Section 3 of this Act.

§ 5. Repeal.—All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 6. Time effective.—That Section 4 of this Act shall take effect upon the approval by the Governor. All other provisions of this Act shall take effect on the fifth day following the date of approval of this Act by the Governor, excluding the date of such approval.

Approved the 27th day of March, 1937.

(223)

No. 127.

AN ACT to Amend Subdivision 13 of Section 1, of an Act Entitled "An Act Regulating the Manufacture, Sale, Possession, Transportation, and Use of Narcotic Drugs, Providing for the Issuance of Licenses Therefor, to Make Uniform the Law with Reference Thereto, and Providing Penalties for Violations", so as to Provide that the Term "Narcotic Drugs" Shall Include a Plant Called Marihauna or Indian Hemp or Any Cannibus Preparation.

Section 1. Act 890, 1934 Acts, amended—narcotic drugs include marihauna, or Indian hemp, or any cannibus preparation.—Be it enacted by the General Assembly of the State of South Carolina: That Subdivision 13, of Section 1, of an Act entitled "An Act Regulating the Manufacture, Sale, Possession, Transportation, and Use of Narcotic Drugs, Providing for the Issuance of Licenses therefor, to Make Uniform the Law With Reference Thereto, and Providing Penalties for Violations", Approved April 12, 1934, be, and the same is hereby amended by substituting a semicolon for a period at the end of the said subdivision and adding the following: "or Marihauna, commonly known as Indian Hemp, or any cannibus preparation", so that when so amended the said subdivision 13 shall read as follows:

"(13) "Narcotic drugs" means coca leaves and opium, and every substance neither chemically nor physically distinguishable from them; or Marihauna, commonly known as Indian Hemp, or any cannibus preparation."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor. Approved the 26th day of March, 1937.

(224)

No. 128.

AN ACT to Amend an Act Entitled "An Act to Amend Section 5414, Volume II, Code of Laws of South Carolina, 1932, Relating to the Public School System in Georgetown County," Etc., Known as Act No. 736 of the Acts of the General Assembly of 1936, by Adding a Proviso to Section 1 Thereof Requiring Levy for School Purposes be Subject to Approval

of Members of County Legislative Delegation, Also Providing for the Furnishing of Financial Information by the County Board of Education to Said Delegation, and by Adding Also a Paragraph Thereto Authorizing the County Board of Education, Under Certain Restrictions, to Borrow Funds for Enlarging, Repairing, Maintaining, Constructing and/or Equipping School Buildings.

Section 1. § 5414, 1932 Code, amended—legislative delegation approved school levies—county board of education furnish legislative delegation financial information—borrow enlarge, repair, maintain, construct and equip school buildings, Georgetown County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of Act No. 736 of the Acts of 1936, entitled "An Act to Amend Section 5414, Volume II, Code of Laws of South Carolina, 1932, Relating to the Public School System in Georgetown County", etc., be amended by striking out the period at the end of the last sentence in said section, substituting a semi-colon in lieu thereof and then adding the following proviso, to-wit:

"Provided, That before the County Auditor makes any levy as aforesaid he shall first secure the approval of the Senator and at least one member of the House of Representatives from the County and Provided, further, that the said County Board of Education shall furnish all members of the Georgetown County legislative delegation with a copy of its written findings aforesaid at the time same is delivered to the County Auditor and at the same time shall furnish the said delegation with a written statement of all financial transactions of said Board for the preceding fiscal year", so that said Section, when so amended, shall read as follows:

"Section 1. Sub-Section 5 of section 5414, Code of Laws of 1932, is hereby amended by striking out the same and inserting in lieu thereof the following:

Sub-section 5: The County Board of Education shall have charge of, manage, direct and supervise all the schools of the County. They shall have charge of all school buildings, grounds and property in the County, and it shall be their duty to keep such buildings and property in the best repair possible with available funds. It shall also be their duty to construct and enlarge such school buildings as may be necessary. The County Board of Education, and they only, shall purchase all furniture, supplies and equipment of whatever nature or kind to be used by the schools of the County and shall pay

for the same by regularly issued warrants, approved by the Board and signed by the Chairman and countersigned by the Clerk of said Board.

Sub-section 12 of the said Section 5414, is hereby amended by striking out the same and inserting in lieu thereof the following:

Sub-section 12. The County Board of Education is hereby authorized and empowered to borrow any sum not in excess of the anticipated amount of revenue estimated to be available for school purposes for any scholastic year, and to pledge for the payment of such loan or loans and the interest thereon all anticipated revenues and the full faith and credit of Georgetown County. The said loan may be made in such manner and on such terms as the said Board deems best. The proceeds of such loan or loans shall be turned over to the County Treasurer, who shall place the same to the credit of the County Board of Education.

Sub-section 20 of the said Section 5414, is hereby amended by striking out the same and inserting in lieu thereof the following:

Sub-section 20. To this end the County Board of Education shall on or before the 1st day of August of each year make up a budget of the amount of money which will be necessary to run the schools of the County for the ensuing scholastic year to which amount shall be added such sums as may be necessary for the purposes of enlarging, repairing, maintaining and constructing school buildings; *Provided*, That the said County Board of Education shall also be authorized and empowered to accept gifts or grants made to it in assistance of enlarging, repairing, maintaining and constructing school buildings. From this amount they shall deduct the estimated revenue to be derived from the three mills constitutional tax and all other funds received or to be received as aid to schools from the State or for other educational purposes and all other revenues from any source, including the taxes levied under this Section, and shall then determine the number of mills required to be levied to raise the amount of money necessary for any such scholastic year. The Board shall then notify the County Auditor in writing of its findings and the County Auditor shall levy an annual tax upon all taxable property of the County, sufficient to meet the aforesaid requirements which said tax shall be collected by the County Treasurer in the same manner as are other county taxes collected; *Provided*, That before the County Auditor makes any levy as aforesaid he shall first secure

the approval of the Senator and at least one member of the House of Representatives from the County and provided, further, that the said County Board of Education shall furnish all members of the Georgetown County legislative delegation with a copy of its written findings aforesaid at the time same is delivered to the County Auditor and at the same time shall furnish the said delegation with a written statement of all financial transactions of said Board for the preceding fiscal year.

In making up the school budget as aforesaid, the County Board of Education shall not include therein an amount in excess of Five Thousand (\$5,000.00) Dollars, in any one year for the purposes of enlarging, repairing, maintaining, constructing and/or equipping school buildings; the said Board being hereby specifically authorized and empowered, with the written consent of the Senator and at least one member of the House of Representatives of Georgetown County, to borrow any amount over and above the aforesaid Five Thousand (\$5,000.00) Dollars, needed only for any of the purposes herein stated in connection with school buildings, from the Sinking Fund Commission of South Carolina, the Sinking Funds of Georgetown County or its political sub-divisions, or from any other available source upon such terms and for such period not exceeding ten years as may seem most advantageous, the said Board being hereby authorized and empowered, subject to the written consent aforesaid, to give its note or notes or other evidence of indebtedness therefor bearing interest at a rate not to exceed six per centum (6%) per annum, and thereby irrevocably pledge the full faith, credit and taxing powers of Georgetown County. The proceeds of any such loan shall be placed with the Treasurer of said County and be expended by the said County Board of Education only for one or a combination of the purposes mentioned in this paragraph. Upon the issuance of any note or other evidence of indebtedness under the conditions and restrictions imposed herein, it shall be the duty of the County Board of Education promptly to notify the officers of Georgetown County charged with the levying and collecting taxes whereupon said officers shall forthwith annually levy and collect an advalorem tax upon all the property returned for taxation in said County sufficient to pay promptly the principal and interest of any such indebtedness as the same matures,—such levy and collection for debt service aforesaid being in no way dependent upon the inclusion by the County Board of Education of such an item in the annual school budgets thereafter.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 26th day of March, 1937.

(226)

No. 129.

AN ACT to Amend Section I of Act No. 709 of the Acts of 1936, Entitled "An Act to Create the North Charleston Park and Playground Commission and to Define Its Duties and Powers", Approved March 27, 1936, so as to Make Further Provisions with Reference to the Personnel of Said Commission.

Section 1. Act 709, 1936 Acts, amended—members of North Charleston park and playground commission.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of Act No. 709 of the Acts of 1936, entitled "An Act to Create the North Charleston Park and Playground Commission and to Define its Duties and Powers", approved the 27th day of March, 1936, be and the same is hereby amended, by striking out the words "two residents" on the 3rd and 4th lines of said section, and inserting in lieu thereof the words "two persons"; so that said section, when so amended, shall read as follows:

Section 1. That there is hereby created the North Charleston Park and Playground Commission which shall be composed of the following: The Trustees of School District No. 4, Charleston County; two persons of North Charleston who shall be selected in the following manner, one (1) selected by the North Charleston Holding Company, its successors or assigns and one (1) member selected by the North Charleston Water and Sewer Commission. The members of the Commission other than the said Trustees shall hold office for a term of two (2) years and until their successors have been appointed."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 26th day of March, 1937.

(227)

No. 130.

AN ACT to Amend Section 5774, Code of Laws, South Carolina, 1932, Relating to the Board of Visitors of the Citadel so as to Provide that the Membership of Said Board Shall be Increased by One, Who Shall be a Citadel Graduate Elected by Such Means and Methods as May be Determined by the Association of Citadel Men, or Their Successors.

Section 1. § 5774, 1932 Code, amended—association of Citadel men, or successor, elect member of board of visitors of the Citadel.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5774, Code of Laws, South Carolina, 1932, be, and the same is hereby amended by striking out in lines 6 and 7 of said Section the words, “seven others to be elected by joint vote of the General Assembly as herein provided,” and inserting in lieu thereof the words, “eight others who shall be graduates of said college, seven of whom are to be elected by joint vote of the General Assembly as herein provided, and one to be elected for a term of two years, by such means and methods as may be determined by the Association of Citadel men or any succeeding organization of Citadel men, the result of the election to be certified by the President of the Association to the Secretary of State”, so that when so amended the said Section shall read as follows:

“Section 5774. The board of visitors of the Citadel, the military College of South Carolina, shall be composed of the Governor of the State, the Adjutant General, the State Superintendent of Education, and the Chairman of the Military Committees of the Senate and House of Representatives, who shall be members ex officio of said board, and eight others who shall be graduates of said college, seven of whom are to be elected by joint vote of the General Assembly as herein provided, and one to be elected for a term of two years, by such means and methods as may be determined by the Association of Citadel men or any succeeding organization of Citadel men, the result of the election to be certified by the President of the Association to the Secretary of State. The regular terms of office of the elective members shall be six years after the first election. The terms of those elected at the first election shall be one for two years, two for four years, and two for six years, to be determined by lot after said election, and their terms of office shall date from the first day of February, 1900. The first one elected at the session of 1924 shall serve until the session of 1927; and the second one elected at the

session of 1924 shall serve until the session of 1929; thereafter, the General Assembly shall hold an election every two years to fill vacancies as they occur by the expiration of terms of office."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 26th day of March, 1937.

(228)

No. 131.

AN ACT to Provide for the Licensing, the Revoking of Licenses, and the License Fees of All Tourist Camps and Road Houses in This State; and to Provide Penalty for the Operation, Maintaining and Owning Such Tourist Camps and Road Houses Without a License to Do So.

Section 1. License required operate road house or tourist camp.—Be it enacted by the General Assembly of the State of South Carolina: No person, firm or corporation shall, subsequent to July 1, 1937, maintain, operate or own any tourist camp or road house, where beds or lodging are had for hire, without first obtaining from the Governing Body of the County in which such tourist camp or road house is located, a license so to do, which license shall be issued upon the conditions hereinafter set out.

§ 2. **Application for license.**—That application for a license to operate, maintain or own any such tourist camp or road house shall be made in writing to the Governing Body of the County in which the license is to be issued, and the said application shall give the name of the owner of the property, the name of the manager or operator, the general nature of the business proposed to be conducted, and such other information as the said Governing Body may require.

§ 3. **Issuance of license.**—That, upon the filing of the said application, the said Governing Body, shall pass upon the said application and make its recommendation in writing to the Clerk of the Court of General Sessions and Common Pleas for the County in which the license is to be issued. If the majority of the said Governing Body recommends the issuance of the said license, then the said Clerk of Court shall issue the same for a period of one (1) year, upon the payment of the license fee hereinafter prescribed.

§ 4. **Revoke license.**—That the Governing Body of any County wherein such a license has been issued shall have the right, upon

such showing as to it may seem proper, to revoke any license issued under the terms of this Act.

§ 5. License fee.—The license fee to be charged and collected in connection with the licensing of said road houses and tourist camps shall be Ten (\$10.00) Dollars per annum per tourist camp or road house.

§ 6. Law enforcing officers inform as to issuing or revoking license.—That, in the issuing or the revoking of licenses herein provided for, the said Governing Body may call upon the law enforcing officers within the County for information pertinent to the issuing or the revoking of such license, and, upon so doing, the officer or officers upon whom such requests are made shall furnish such Governing Body with such information as he may possess.

§ 7. Penalty—counties exempted.—That any person, firm or corporation violating the provisions of Section 1 of this Act shall be deemed guilty of a misdemeanor and, upon conviction, be fined the sum of not less than Twenty (\$20.00) Dollars nor more than One Hundred (\$100.00) Dollars, or imprisoned for not more than thirty (30) days in the discretion of the Court. Any person, firm or corporation violating the provisions of Section 1 of this Act shall commit separate offenses for each day said provisions are violated: *Provided*, It shall not apply to Florence, Aiken, Barnwell, Lexington, Dorchester, Colleton, Sumter, Beaufort, Clarendon, Dillon, Abbeville, Williamsburg, Hampton, Bamberg, Chesterfield, Calhoun, Anderson, McCormick, Georgetown, Horry, Lee, Richland, Jasper, and Cherokee.

§ 8. Act 970, 1936 Acts, repealed—further repeal.—Act No. 970 of the Acts of the General Assembly, 1936, entitled "An Act Requiring all Tourist Camps and Road Houses Operating in South Carolina", etc., approved June 8, 1936, relating to the licensing of tourist camps and road houses, is hereby repealed, and all other Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 9. Date effective.—This Act shall take effect upon its approval by the Governor.

Approved the 26th day of March, 1937.

(229)

No. 132.

AN ACT to Require Rules and Regulations Issued Pursuant to All General and Permanent Laws to be Filed in Secretary of State's Office and to be Published in the Acts and Codes of Laws of South Carolina; to Fix Duties of Officers and Agencies Issuing Such Rules and Regulations; the Secretary of State and the Code Commissioner; and to Provide for the Expenses Thereof.

Whereas, There are numerous provisions in the Code of Laws of South Carolina, 1932, and in laws enacted since the adoption of the said Code, which authorize certain officers and agencies of the State to adopt rules and regulations to effectively enforce certain laws; and

Whereas, rules and regulations issued under these laws have the effect of law as legislative enactments when adopted by such officers and agencies; and

Whereas, there is no general procedure as to the filing and publishing of such rules and regulations; and

Whereas, such rules and regulations should be filed and published so they may be available to the public the same as acts of the General Assembly; *Now, Therefore*

Section 1. File rules and regulations issued pursuant to general and permanent laws in secretary of state's office.—Be it enacted by the General Assembly of the State of South Carolina: That all rules and regulations adopted by any officer, board, commission, or agency, when authorized to adopt rules and regulations by any general and permanent law of the State of South Carolina, shall become effective only after such rules and regulations shall have been properly certified to by the officer or agency adopting same, and have been filed in the office of the Secretary of State. The Secretary of State, on receipt of such rules and regulations, shall note on them date filed in his office, and permit the public to inspect them. Each such rule and regulation shall be numbered separately.

§ 2. Filing of such rules and regulations heretofore adopted—furnish copies to code commissioner.—The officer or agency adopting such rules and regulations shall at the same time a certified copy of such rules and regulations is filed in the office of the Secretary of State send two copies of such certified copy to the Code Commissioner. All such rules and regulations adopted prior to the approval of this Act and not filed in Secretary of State's office shall

be filed as hereinabove provided within thirty days after the approval of this Act in the office of the Secretary of State; otherwise such existing rules and regulations shall not be effective until filed in above manner. *Provided*, that all such rules and regulations, heretofore filed in Secretary of State's office need not be refiled, but such rules and regulations, shall be considered as complying with the terms of this Act by the Secretary of State placing on them the date this Act is approved. *Provided, Further*, that the officer or agency issuing such rules and regulations heretofore filed shall furnish the Code Commissioner two certified copies of same. Such rules and regulations when filed as hereinabove provided shall be effective until they are amended or repealed by the officer or agency filing them or by acts of the General Assembly.

§ 3. Include such rules and regulations in the Acts and Codes of Laws—duties of code commissioner—payment of expenses.—The Code Commissioner shall include in the 1937 Acts of the General Assembly of South Carolina all such rules and regulations filed in the office of the Secretary of State at the time proof for printing the 1937 Acts proper is closed; thereafter the Code Commissioner shall include in the Acts of each regular session of the General Assembly all such rules and regulations filed as hereinabove provided, and not theretofore published in the Acts of a preceding regular session. The Code Commissioner shall put such rules and regulations in the Acts after all acts to be included therein are inserted and he shall include in the index to such acts references to such rules and regulations therein included. When such rules and regulations are published, the Code Commissioner shall give with each rule and regulation, or group of same, the Section number in the Code if such rules and regulations are issued pursuant to any section in the Code; and if such rules and regulations are issued pursuant to an Act adopted since the Code, then he shall give the volume number and page number of the Acts in which said Act may be found. Each such rule and regulation, or group of same, published in the Acts shall show the date filed in office of the Secretary of State. Hereafter the Code Commissioner shall include in the Codes of Laws of South Carolina under each law authorizing such rules and regulations all such rules and regulations in effect at the time such code is printed. The style of type and make-up of such rules and regulations in the Acts and Codes shall be as the Code Commissioner may determine. The 1936-37 supplemental state appropriation law shall provide for

paying expenses for such work to be done during this fiscal year same include pay for Code Commissioner for extra duties and work devolved on him hereunder, clerical help, office equipment and supplies, etc.; thereafter such expenses shall be provided for in the annual state appropriation law.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 26th day of March, 1937.

(230)

No. 133.

AN ACT to Amend Section 3377 Volume 2 Code of Laws of South Carolina, 1932, Relating to License for Personal Use, by Requiring License in Cases of Excessive Catch.

Section 1. § 3377, 1932 Code, amended—license required in case of excessive catch of fish.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3377^e Volume 2 Code of Laws of South Carolina, 1932, be, and the same is hereby amended by adding the following proviso at the end of the said Section: "*Provided*, That no individual catch in excess of one hundred (100) pounds per day shall be offered for sale without first securing a fishing or dealer's license" so that said section when so amended shall read as follows:

"Section 3377. No tax shall be levied or collected from bona fide citizens of this State to take fish for the use of self or family and not for sale or market. But if any person shall sell or offer for sale any such products in violation of this article he shall be deemed guilty of a misdemeanor punishable within the jurisdiction of a magistrate's court. *Provided*, That no individual catch in excess of one hundred (100) pounds per day shall be offered for sale without first securing a fishing or dealer's license."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 26th day of March, 1937.

(233)

No. 134.**AN ACT to Fix the Compensation of Petit and Grand Jurors and Certain Other Officers of the Court in Cherokee County.**

Section 1. Pay of circuit court jurors, court criers and bailiffs, Cherokee County.—Be it enacted by the General Assembly of the State of South Carolina: The compensation of grand and petit jurors, Court criers and bailiffs for the Courts of General Sessions and Common Pleas for the County of Cherokee, shall be three (\$3.00) dollars each per day and ten (10¢) cents per mile one way.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 26th day of March, 1937.

(234)

No. 135.**AN ACT to Amend Section 7962 of Volume III of the Code of Laws of 1932 so as to Require Non-resident Insurance Adjusters to Pay to the State of South Carolina a License Fee of Not Less Than the Same Amount as is Required by Such State to be Paid in Such State by South Carolina Adjusters and to Preclude Non-resident Adjusters of States Which Preclude South Carolina Adjusters.**

Section 1. § 7962, 1932 Code, amended—non-resident insurance adjusters—license fees pay—preclude certain.—Be it enacted by the General Assembly of the State of South Carolina: Amend Section 7962 of Volume III, of the Code of Laws of 1932 by adding the following provisos at the end thereof: "*Provided*, That whenever the laws of any other State of the United States shall require South Carolina Adjusters to pay a license fee greater than the fee required in this State of non-resident adjusters, then in each and every such case non-resident adjusters are hereby required to pay an amount equal to the amount of such charges imposed by the laws of such state upon adjusters of this State. *Provided, However*, That no license shall be issued to non-resident adjusters who reside in a state refusing to license South Carolina adjusters;" so that said section when so amended shall read as follows:

"Section 7962. Every person (commonly called an adjuster) Adjusting losses for any fire insurance company licensed to do business

in this State shall be licensed by the insurance commission. Such person or persons shall apply for license on forms prescribed by the insurance commissioner. The insurance commissioner shall satisfy himself that such person applying for license as an adjuster is a person of good moral character, has sufficient knowledge of the fire insurance business and his duties as adjuster, that he has not violated any of the insurance laws of the State, and that he is a fit and proper person for such position: *Provided*, That agents licensed under Section 7951 are not required to comply with the terms of this Section: *Provided*, That adjusters are hereby declared to be acting as the agents for the company or companies represented by them in the adjustment of any loss. The fee for an adjuster's license, as contemplated under this section, shall be ten (\$10.00) dollars, said license to expire on the 31st day of March annually: *Provided*, That whenever the laws of any other State of the United States shall require South Carolina adjusters to pay a license fee greater than the fee required in this State of non-resident adjusters, then in each and every case non-resident adjusters are hereby required to pay an amount equal to the amount of such charges imposed by the laws of such state upon adjusters of this State. *Provided, Further*, That no license shall be issued to non-resident adjusters who reside in a state refusing to license South Carolina adjusters."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Acts shall take effect immediately upon its approval by the Governor.

Approved the 26th day of March, 1937.

(238)

No. 136.

AN ACT to Authorize and Require the Grand Jury of Chester County to Have All County Offices Audited Annually.

Section 1. Audit offices annually, Chester County.—Be it enacted by the General Assembly of the State of South Carolina: That the Grand Jury of Chester County is authorized and required to have all County Offices audited annually, beginning July 1st for the previous twelve months, said audit to be let by the Grand Jury to the lowest responsible bidder, who must satisfy the Grand Jury that he is thoroughly competent to make the audit, on sealed bids

submitted to the Grand Jury; the cost of the audit to be paid by the County Board of Directors on request of the Grand Jury out of the miscellaneous contingent fund of the county; *Provided*, That the Grand Jury appoint a committee of not exceeding three of their members to examine the vouchers in the hands of the Board of Directors annually, and receive therefor such per diem and mileage as may be agreed upon by the Board of Directors and the Grand Jury, the same to be paid out of the miscellaneous contingent fund of the county. *Provided*, That the cost of the audit shall not exceed the amount fixed annually by the legislative delegation in the Supply Bill.

§ 2. This Act to take effect immediately upon its approval by the Governor.

Approved the 1st day of April, 1937.

(243)

No. 137.

AN ACT to Divide the Town of Denmark in Bamberg County, South Carolina, Into Wards and to Provide for the Election of Wardens or Councilmen, and a Mayor of Said Town.

Section 1. Divide town of Denmark into wards.—Be it enacted by the General Assembly of the State of South Carolina: That the town of Denmark in Bamberg County be divided into six (6) wards, as follows: Ward No. 1: Bound on the north by the Southern Railroad; on the east by the A. C. L. Railroad; on the south by the A. C. L. Railroad, and on the west by the S. A. L. Railroad. Ward No. 2: Bound on the north by the town limit; on the east by the A. C. L. Railroad; on the south by the Southern Railroad, and on the west by the S. A. L. Railroad. Ward No. 3: Bound on the north by the A. C. L. Railroad and town limit; on the east by the town limit; on the south by the town limit, and on the west by Maple Avenue. Ward No. 4: Bound on the North by the A. C. L. Railroad; on the east by Maple Avenue; on the south by the town limit, and on the west by the A. C. L. Railroad and the town limit. Ward No. 5: Bound on the north by Seventh Street; on the east by the S. A. L. Railroad, on the south by the A. C. L. Railroad, and on the west by the town limit. Ward No. 6: Bound on the north by the town limit; on the east by the S. A. L. Railroad; on the South by Seventh Street, and on the west by the town limit.

§ 2. Councilmen—elect one from each ward—term—vacancy.—That there shall be elected from each ward in the town of Denmark in Bamberg County one warden or councilman, who shall serve for a term of two (2) years; the said warden or councilman shall be elected by the qualified electors of the ward in which he resides; that, in the event the office of warden or councilman in any ward becomes vacant, it shall be the duty of the Mayor, within thirty (30) days after such vacancy, to call an election to fill said office so vacated.

§ 2-A. Election on adopting §§ 1 and 2 hereof.—That before sections one and two of this Act shall take effect, the question shall first be submitted to the qualified electors of the Town of Denmark, South Carolina, at a special municipal election, to be held under the laws governing municipal elections, on the last Tuesday in May, 1937, upon the following question:

“Shall the Town of Denmark, South Carolina, be divided into six wards? Yes....No.” Twenty days notice of the election shall be given in a newspaper published in Bamberg County. If a majority vote at said special election shall be in the affirmative sections one and two of this Act shall thereupon go into effect, and if a majority vote at said special election shall be in the negative sections one and two of the said Act shall not go into effect.

§ 3. Mayor—elect—term—vacancy.—That the Mayor of the town of Denmark in Bamberg County shall be elected by the qualified electors of said town for a period of two (2) years; that, in the event a vacancy occurs in the office of Mayor of said town, it shall be the duty of the town council to call an election within thirty (30) days to fill the office of Mayor.

§ 4. Time of election.—That said election for the town of Denmark in Bamberg County, shall be held on the second Tuesday in June, instead of the second Tuesday in April.

§ 5. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect upo its approval by the Governor.
Approved the 1st day of April, 1937.

(244)

No. 138.**AN ACT to Provide for the Posting of Monthly Reports by the Magistrates of York County.**

Section 1. Magistrates report criminal, business monthly, York County.—Be it enacted by the General Assembly of the State of South Carolina: Each and every Magistrate for York County shall monthly, before receiving his monthly salary warrant, make in duplicate on a form to be supplied by the County Board of Commissioners, a report of all criminal business transacted in his office for such month. One copy of this report which shall be on heavy white paper shall be posted on a bulletin board in front of the County Court House and one copy shall be posted on a bulletin board at the street entrance to such Magistrate's office. Such forms shall show the following information relative to such cases: Name of Defendant—Date of arrest—Offense—Fine imposed, or warrant of bail forfeited.

§ 2. Make and post such report receive salary—penalty.—No Magistrate shall receive any salary for such month until he certifies that such report has been made and posted. The failure of any Magistrate to make and post such report form for each month and the failure or omission of any name of any defendant from such report shall be a misdemeanor and punishable as such.

§ 3. Require certified report before issuing salary warrant.—Any officer or employee of York County issuing a salary warrant to any Magistrate without requiring the certified report, as above provided, shall be guilty of a misdemeanor, punishable as such.

§ 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 1st day of April, 1937.

(245)

No. 139.**AN ACT to Provide for the Preferred Employment of American Citizens When the Compensation of Such Employment is to be Paid Out of Public Funds of This State, Any Subdivision of This State, or Any Municipality in This State.**

Section 1. Employ only American citizens with public funds—sign and file certificate if others employed.—That no public funds

of this State or of any of its subdivisions, or of any municipality therein, shall be available or paid to any person other than a qualified American Citizen as compensation for employment, unless the officer, officers, board, commission, or person or persons employing such employee shall, before employment, sign and file, as hereinafter provided, a certificate in writing under oath that it is not practicable to find an American citizen available for such employment.

§ 2. **Filing of certificate.**—That the certificate herein required to be filed shall be filed with the Secretary of State when the compensation or any part thereof is to be paid out of State funds, and with the Governing Body of the subdivision of this State or the municipal corporation when such compensation or any part thereof is to be paid out of the funds of such subdivision or municipal corporation.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 2nd day of April, 1937.

(247)

No. 140.

AN ACT to Provide for a Committee of the County Officials of Colleton County to Destroy Useless Records in the Colleton County Court House.

Section 1. Committee destroy useless records, Colleton County.—Be it enacted by the General Assembly of the State of South Carolina: That the Auditor, Treasurer, Superintendent of Education, Sheriff, County Attorney, Foreman of the Grand Jury of the County of Colleton are hereby designated as a committee to examine and investigate the records in the various offices of the county officials of Colleton County and destroy such records which are useless and are a burden upon the space of said offices. *Provided*, That no record which effects the title to real estate in any manner shall be destroyed, by this committee. *Provided, Further*, That no record shall be destroyed except at a full meeting of the said committee.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 1st day of April, 1937.

(248)

No. 141.

AN ACT to Repeal Act No. 753 of the Acts of the General Assembly of South Carolina, 1934, Entitled "An Act to Amend Chapter 108, Article XI, of South Carolina 1932, Code of Laws, Relating to Boards of Tax Assessors and Equalization so as to Provide for a Board of Tax Assessors and Equalization for Oconee County; to Provide for Their Appointment; Term of Office, Compensation, Powers and Duties", Approved March 13, 1934; to Abolish the Board of Tax Assessors and Equalization of Oconee County Created by Said Act; and to Make Applicable to Oconee County the General Law Regarding Boards of Tax Assessors and Equalization.

Section 1. Act 753, 1934 Acts, repealed—board of tax assessors and equalization, Oconee County—board abolished.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 753 of the Acts of the General Assembly of South Carolina, 1934, entitled "An Act to Amend Chapter 108, Article XI, of South Carolina 1932, Code of Laws, Relating to Boards of Tax Assessors and Equalization so as to provide for a Board of Tax Assessors and Equalization for Oconee County; to Provide for their Appointment; Term of Office, Compensation, Powers and Duties", approved March 13, 1934, be, and the same is hereby, repealed, and the Board of Tax Assessors and Equalization of Oconee County, created by said Act, be, and the same is hereby, abolished.

§ 2. General law restored.—That the general law, as provided in Article XI, Chapter 108, Code of Laws of South Carolina, 1932, regarding Boards of Tax Assessors and Equalization, the appointment of the members thereof, their powers and duties, is hereby made applicable to Oconee County, and the towns and townships therein, in like manner as said general provisions of law were applicable to said County, towns and townships therein, prior to the enactment of said Act No. 753.

§ 3. Date effective.—This Act shall take effect on July 1, 1937
Approved the 3rd day of April, 1937.

(251)

No. 142.

AN ACT to Provide that No School Districts in Saluda County Shall Consolidate, Unless There is First Filed in the Office of the County Superintendent of Education a Petition, Signed by at Least a Majority of the Freeholders in Each of the Said School Districts.

Section 1. Consolidation of school districts, Saluda County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the passage of this Act, no school district in Saluda County shall be consolidated, unless there is first filed in the office of the County Superintendent of Education a petition signed by at least a majority of the freeholders in each of the said school districts which are proposed to be consolidated.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 3rd day of April, 1937.

(253)

No. 143.

AN ACT to Amend Section 1768, Volume I, Code of Laws of South Carolina, 1932 as Amended by an Act Entitled "An Act to Amend Section 1768, Volume I, Code of Laws of South Carolina, 1932, as Amended by an Act Entitled 'An Act to Amend Section 1768, Volume I, Code of Laws of South Carolina of 1932 by Exempting Anderson, Colleton, Spartanburg and Oconee Counties from the Provisions Thereof, and by Declaring an Open Season for Hunting Foxes in Anderson, Colleton, Spartanburg and Oconee Counties', so as to Provide a Closed Season for the Hunting of Foxes in Anderson County and a Portion of Oconee County and Newberry County", so as to Provide a Closed Season in Anderson County.

Section 1. § 1768, 1932 Code, amended—closed season for hunting foxes, Anderson County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1768, Volume I, Code of Laws of South Carolina, 1932, as amended by an Act entitled "An Act to Amend Section 1768, Volume I, Code of Laws of South Carolina, 1932, as Amended by an Act Entitled 'An Act

to Amend Section 1768, Volume I, Code of Laws of South Carolina of 1932 by Exempting Anderson, Colleton, Spartanburg and Oconee Counties from the Provisions Thereof, and by Declaring an Open Season for Hunting Foxes in Anderson, Colleton, Spartanburg and Oconee Counties', so as to Provide a closed Season for the Hunting of Foxes in Anderson County and a Portion of Oconee County and Newberry County", approved June 4, 1936, be, and the same is hereby amended by striking out the words "*Provided, Further, That* in Anderson County there shall be a closed season for hunting of foxes, which shall be from June 1st until the 15th of September of each year", and inserting in lieu thereof the words "*Provided, Further, That* in Anderson County there shall be a closed season for the hunting of foxes, which shall be from March 1st to September 15th of each year" so that when so amended the said Section shall read as follows:

"Section 1768: It shall be unlawful to hunt, shoot, trap or kill any foxes in this State, or to dig out of the ground or to push or drag out of a tree or log any fox or foxes in this State, except as hereinafter provided: *Provided, That* fox or foxes may be hunted or run with dogs in this State from September the 15th until the 15th day of February each year: and, *Provided, Further, That* any person or persons may shoot, chase or kill any fox or foxes at any time that they are doing any damage upon the property of such person or persons or property under their control: and, *Provided, Further, It* shall be unlawful to sell and ship live fox within the State; and, *Provided, Further, That* no person or persons shall chase any fox or foxes as herein provided except on his or their own land or lands under his or their control. Any person or persons violating the provisions of this Section shall be punished by a fine of not more than twenty-five dollars or by imprisonment for not more than thirty days: *Provided, That* the provisions of this Act shall not apply to hunting, shooting, trapping and killing foxes in Colleton, Spartanburg and Oconee Counties, or digging out of the ground or pushing or dragging out of a tree or log of foxes in said Counties: *Provided, Further, That* in Anderson County, there shall be a closed season for the hunting of foxes, which shall be from March 1st to September 15th of each year. *Provided, In* that portion of Oconee County lying to the east and south of a line coinciding with Highway 183 from Pickens County line through Walhalla to Westminster and the Westminster-Atlanta highway to Tugalo River, it shall be unlawful to hunt, trap, shoot or in any manner take or kill any

fox between the 1st day of April and the 1st day of October of each year: *Provided, Further*, That in Newberry County there shall be a closed season for the hunting of foxes from the 15th day of February until September 15th of each year."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 3rd day of April, 1937.

(254)

No. 144.

AN ACT to Terminate the Terms of Office of the Trustees of the Various School Districts in Lexington County; to Provide for the Appointment, Election and Removal of School Trustees in Lexington County; to Describe Their Terms of Office; and to Provide for the Filling of Vacancies on the Board of Trustees of the Said School Districts.

Section 1. School trustees, Lexington County—time terms expire and commence—removal—vacancy.—Be it enacted by the General Assembly of the State of South Carolina: That the terms of office of all High School Trustees and Grammar School Trustees in Lexington County shall expire April 8, 1937, and trustees provided for in Section 2 and 3 of this Act shall be appointed and commissioned by the County Board of Education so as to assume office April 8, 1937. Trustees herein provided for shall hold office until the third Tuesday in March of the year in which their respective terms expire. Removal from office of any trustee shall be done in accordance with the school laws of South Carolina. In event a vacancy occurs on any Board of Trustees by removal, resignation, or otherwise, the County Board of Education shall fill such vacancy by appointment for the unexpired term.

§ 2. **Grammar school trustees—terms.**—The Grammar Schools in each of the School Districts of Lexington County shall be under the supervision and control of a Board of Trustees composed of three members; *Provided*, the Grammar Schools in School Districts, Numbers 1, 12, 25, 27, 29, 45 and 66 shall be under the supervision and control of the Boards of Trustees provided for the High Schools in Section 3 of this Act. Terms of office for the trustees of the Grammar Schools herein provided for shall be for three years, except however, the initial terms of office of said trustees for each district shall be as follows: One (1) for a term expiring the third

Tuesday in March 1938, one (1) for a term expiring the third Tuesday in March 1939, and one (1) for a term expiring the third Tuesday in March 1940.

§ 3. High school trustees—terms.—The High Schools except the Batesburg-Leesville High School in each of the high school districts of Lexington County, whether the same be created by special Act or under the general laws, shall be under the supervision and control of a Board of Trustees composed of five (5) members, each of whom shall serve for a term of three years, except however, the initial terms shall be as follows: One (1) for a term expiring the third Tuesday in March, 1938, two (2) for terms expiring the third Tuesday in March, 1939, and two (2) for terms expiring the third Tuesday in March, 1940; (1) *Provided*, two members of the Board of Trustees of the Swansea Centralized High School shall be residents of District Number 37, and the other three shall be residents of the area of the Swansea Centralized District outside local District Number 37, and it is further provided that it shall be legal for a trustee to be a member of a grammar school Board of Trustees and the Swansea Centralized High School Board of Trustees simultaneously; (2) *Provided*, the Batesburg-Leesville High School shall be under the joint control and supervision of the Boards of Trustees for the Batesburg Grammar Schools and the Leesville Grammar School.

§ 4. Employment of teachers.—It shall be unlawful for any Board of Trustees in Lexington County to employ or contract for the services of any teachers for any scholastic year beginning after the expiration of office of such trustee; and any such contract shall be null and void and not binding on their successors in office, or on the school district, which said trustees may represent. In event any Board of Trustees should undertake to employ teachers for any year beginning after the expiration of their terms of office as trustees, such teacher or teachers shall have no cause of action against the School District and the trustee entering into any such unlawful contract shall be liable for any damage suffered by any teacher. Except for the provisions of this Act, the time of employment of teachers and all other powers and duties of trustees shall be consistent with the general schools laws of South Carolina.

§ 5. Election—appointment.—Upon the written petition of twelve or more qualified electors or patrons of a grammar school district and/or twenty or more in a High School District to the County Board of Education on or before the last Tuesday in February for

an election for the purpose of electing a successor or successors for the trustee or the trustees whose term or terms expire in that year in such school district or districts, it shall be mandatory on said County Board of Education to order said election for such purpose on the second Tuesday in March of the year in which the petition was filed. Managers for said election shall be named by the County Superintendent of Education. Polls shall open at 8 A. M. and close at 4 P. M. Qualifications to vote in said election shall be as follows: Residence in School District for one (1) year and be qualified electors or a patron at the time of election of a school in the district in which the election is held. To become a trustee the person must possess the same qualifications of a voter eligible to participation in a trustee election. Patron is one who has a child in school at the time a petition is filed and at the time an election is held. In any election, the person or persons receiving the highest number of votes shall be duly elected and shall be commissioned by the County Board of Education as trustee or trustees. In event there should be any expense for holding such elections, it shall be paid from County Board Funds. If there be no petition for an election as provided for in this Section, it shall be the duty of the County Board of Education to appoint the trustees provided for in this Act and commission them so as to assume office on the third Tuesday in March, in the year in which there is a vacancy. The County Board of Education, shall have the power to call an election for the initial terms of office of trustees on such date and under such rules and regulations in those districts in which the County Board of Education deems it advisable.

§ 6. **Date effective.**—This Act shall take effect immediately upon its approval by the Governor.

§ 7. **Saving clause.**—If any sentence, clause or section of this Act is found to be or declared to be unconstitutional it shall not affect any other part of this Act.

Approved the 1st day of April, 1937.

(255)

No. 145.

AN ACT to Authorize and Empower the City of Union to Grant, Bargain, Sell and Release Any Land or Real Estate of the Said City of Union.

Section 1. City of Union grant, bargain, sell and release its real estate.—Be it enacted by the General Assembly of the State of

South Carolina: That the Mayor and City Council of the City of Union are hereby authorized and empowered to grant, bargain, sell and release any land or real estate of the said City of Union.

§ 2. That any Act or parts of Acts inconsistent with this Act or any part thereof are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 3rd day of April, 1937.

(256)

No. 146.

AN ACT to Prohibit the Writing of Contingent or So Called Mortality Endowment Contracts by Life Insurance Companies, Mutual Aid Associations and Fraternal Benefit Societies, to Further Regulate the Writing of Such Contracts and to Repeal All Laws and Parts of Laws in Conflict with This Act.

Section 1. Life insurance companies, mutual aid associations, and fraternal benefit organizations write mortality endowment contracts only as provided herein.—Be it enacted by the General Assembly of the State of South Carolina: That no life insurance company, mutual aid association, or fraternal benefit society, order, company or association operating in this State shall hereafter be permitted to issue policies, certificates or contracts to policyholders or members providing for the establishment of its policyholders or members into divisions and classes for the purpose of providing for the payment of benefits from special funds created for such purpose to the oldest member of the division and class, or to the member of the division and class whose policy has been in force the longest period of time, upon the death of a member in such division and class, except as hereinafter provided,

§ 2. **Write such contracts if existing divisions and classes not changed—capital stock or surplus required.**—Any life insurance company, mutual aid association, or fraternal benefit society, order or association, heretofore operating on this plan in this state may continue so to do upon condition that such life insurance company, fraternal, benefit society, or mutual aid association shall not hereafter establish its policyholders or members, into divisions or classes other than the divisions or classes, in the State of South Carolina actually existing, when this Act shall become a law; and *Provided* that no life insurance company (including any organization of what-

ever character engaged in the writing of life insurance upon any plan) and no fraternal benefit society, order or association, and no mutual aid association, shall be permitted to operate on such endowment plan unless it have a paid in capital stock, if a stock company, of at least Fifty Thousand (\$50,000.00) Dollars, or a surplus if a mutual Company, or fraternal benefit society, order or association of at least Twenty-five Thousand (\$25,000.00) Dollars, which shall be increased to Fifty Thousand (\$50,000.00) Dollars within five years.

§ 3. **Reserve maintain on policies.**—In order to pay such endowments as they severally mature as well as to pay all other benefits incorporated in any such policies, certificates, or contracts of insurance, any life Insurance Company, fraternal benefit society, or mutual aid association now operating upon this plan in this State shall establish and maintain on each such policy a reserve upon a basis not lower than the American Experience Table of Mortality, Full Preliminary Term, Illinois Standard and interest assumption of three and one-half per centum covering each contingency provided for in such policy.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 3rd day of April, 1937.

(258)

No. 147.

AN ACT to Provide for the Payment of Petit and Grand Jurors and Certain Other Officers of the Court in Chesterfield County.

Section 1. Pay of circuit court jurors, court criers and bailiffs, Chesterfield County.—Be it enacted by the General Assembly of the State of South Carolina: That the compensation of grand and petit jurors, Court criers and bailiffs for the Courts of General Sessions and Common Pleas for the County of Chesterfield, shall be Three (\$3.00) Dollars each per day and ten (10¢) cents per mile one way.

§ 2. This Act shall take effect upon its approval by the Governor.

Approved the 3rd day of April, 1937.

(259)

No. 148.**AN ACT to Further Provide for the Marking of "Nulla Bona" Tax Execution in Florence County.**

Section 1. Marking of tax executions "nulla bona", Florence County.—Be it enacted by the General Assembly of the State of South Carolina: Before any tax execution that has been issued or may hereafter be issued in the County of Florence can be marked "nulla bona" by the officers of said County, it must be so ordered and approved by the local Board of Tax Assessors in each school district in Florence County in which the taxes are assessed upon which the tax execution is based.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 3rd day of April, 1937.

(261)

No. 149.**AN ACT to Make Five Points in Florence County a Voting Place.**

Section 1. Five Points voting precinct, Florence County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the passage of this Act, in addition to the voting place as already provided for by law in Florence County, that there shall be an additional voting place at Five Points in Florence County.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 2nd day of April, 1937.

(262)

No. 150.**AN ACT to Require Mutual Protective Associations, Mutual Aid Associations, Benevolent Associations, Other Societies or Associations Operating on the Assessment Plan or Organized After the Passage of This Act and Insuring Its Members Against Loss by Death or Disability by Accident or Disease to Deposit with the Insurance Commissioner Approved Bond**

or Securities in an Amount of Ten Thousand (\$10,000.00) Dollars, and to Further Regulate the Organization and Operation of Companies, Societies or Associations Doing Business on the Assessment Plan.

Section 1. Requirements form associations operating on assessment plan of insuring members against loss by death or disability by accident or disease.—Be it enacted by the General Assembly of the State of South Carolina: After the passage of this Act, no Mutual Protective Association, Mutual Aid Association, Benevolent Association, or any other company, society, or association, operating on the assessment plan, may be formed for the purpose of insuring members against loss by death or disability by accident or disease without meeting the following requirements:

1. Each such company of the above type hereafter organized to do business in this State shall deposit with the Insurance Commissioner an approved bond, or approved securities, in the discretion of the Commissioner, in an amount of Ten Thousand (\$10,000.00) Dollars. Funds thus advanced shall be a first lien upon the assets of such association, company and/or society.

2. That not less than one thousand (1000) adult persons shall associate themselves together for the purpose of organizing such association, company or society, and shall have subscribed to not less than one thousand (1000) policies or certificates of insurance of not less than One Thousand (\$1,000.00) Dollars each.

3. After such association or society shall have been organized and licensed by the Insurance Commissioner it shall not issue a policy or certificate or contract of insurance exceeding One Thousand (\$1,000.00) Dollars to any one of its members.

§ 2. Furnish insurance commissioner reports and valuations.—Any association, society or company of the above type that collects regular assessments, dues or premiums, shall furnish the Insurance Commissioner reports and valuations in the same form as specified for fraternal benefit societies under Section 8060, Volume III, of the 1932 Code of Laws of South Carolina. Such valuations shall be based on the American Experience Table of Mortality with 3-½% interest.

§ 3. Premiums varying with ages of members or insureds—policies—reserve—deposits with insurance commissioner.—Any such association charging a regular premium varying in accordance

with the age of its members or insureds shall be required by the Insurance Commissioner to cause the certificates or policies of such associations to be valued on a mortality basis providing for a legal reserve of not less than the American Experience Mortality Table with 3 $\frac{1}{2}$ % interest, full preliminary term, such first valuation to be made as of December 31st, 1937, and that such associations shall thereafter be required to deposit annually with the Insurance Commissioner the amount of said reserves so calculated, now provided by law, all the provisions of Section 3, Act No. 224 of the Acts of 1933 are hereby repealed.

§ 4. By-laws part of contract or policy.—No association, society or corporation organized for the purpose of insuring its members shall issue any policy or contract of insurance specifying that the by-laws of such society, association or corporation shall become a part of the contract or policy of insurance unless said by-laws are physically incorporated in the contract or policy of insurance: *Provided, However,* That the terms of this Section shall not apply to any fraternal benefit society, or association having a ritualistic form of government and holding regular meetings of its members.

§ 5. Membership maintain.—Any mutual Protective Association, Mutual Aid Association, Benevolent Association, or other company, society, or association insuring its members against loss by death or disability by accident or disease, and operating on the assessment plan or licensed to do business under the assessment provisions and now doing business as such, shall be required to maintain a membership of not less than one thousand (1000) adult members in order to be relicensed at any time in the future by the Insurance Commissioner. In the event that any such association now has a membership of less than one thousand (1000) members, such association shall be permitted six months from the date of enactment of this Act in which to obtain not less than one thousand (1000) members; but, in the event they fail so to do during that specified length of time, the license to do business thereafter shall be revoked and the association shall be consolidated, combined, or re-insured with another like association or with a corporation, upon an agreement made by the officers pursuant to a resolution by the Board of Directors and approved by the Insurance Commissioner: *Provided,* That the terms of this Act shall not apply to companies organized and doing business under Section 8088, et seq. Volume III, Code of Laws of 1932.

§ 6. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.
Approved the 8th day of April, 1937.

(263)

No. 151.

AN ACT to Regulate the Selling, Bartering, Exchanging, and Giving Away of Synthetic Drugs Known as Barbiturates and Their Compounds; and to Provide Penalties for Violating the Provisions Thereof.

Section 1. Not sell, barter, exchange or give away barbiturates except on written prescriptions of persons authorized prescribe narcotic drugs—exceptions—penalty.—Be it enacted by the General Assembly of the State of South Carolina: That any person, firm or corporation selling, bartering, exchanging or giving away any of that general class of synthetic drugs commonly known as barbiturates, or their compounds, except on the written prescription of a licensed physician, or the prescription of a person authorized to prescribe narcotic drugs, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding Five Hundred (\$500.00) Dollars or by imprisonment not exceeding eighteen (18) months, or both, in the discretion of the Court; *Provided*, That nothing herein contained shall prevent the selling, bartering, exchanging, or giving away of barbiturates, or barbiturate compounds, to retail or wholesale druggists, licensed physicians, licensed dentists and licensed veterinarians, without such written prescription; *Provided, Further*, That nothing in this Act shall be construed to prohibit or limit licensed physicians, licensed dentists, and licensed veterinarians from dispensing barbiturates and barbiturate compounds in the regular course of their practice.

§ 2. Retain prescriptions for 5 years.—That any person, firm or corporation selling, bartering, exchanging or giving away barbiturates or barbiturate compounds, upon a prescription as herein required, shall retain such prescription for a period of five (5) years from the date of receiving same and exhibit same to the State Board of Health, or any officer or employee thereof, upon demand.

§ 3. Enforcement—penalty.—That it shall be the duty of the State Board of Health to supervise the enforcement of this Act and, in so doing, may, at such intervals as the said Board deems advisable,

require retail and wholesale druggists in this State to submit to it, under oath, statements showing the amount of barbiturates and barbiturate compounds received and disposed of by them during some specified time. That said statements may also include such other information as said Board deems advisable in aiding it to carry out the provisions, purposes and intents of this Act. That said Board of Health, its officers and agents, shall at all times have access to the books and records of such druggist to the end that it may be ascertained that such statements are true. Any person, firm or corporation wilfully refusing to give the required information requested by the State Board of Health or to give it, its officers and agents, access to their books and records, as above required, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding Five Hundred (\$500.00) Dollars or imprisonment not exceeding eighteen (18) months, or both, in the discretion of the Court.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 8th day of April, 1937.

(264)

No. 152.

AN ACT to Create for the County of Saluda a County Cooperative Soil Conservation Association Board and to Authorize Said Board to Purchase Equipment to do Power Terracing and to Control the Same for the Use and Benefit of the Land Owners of Saluda County and to Authorize a Levy on Lands Terraced to be Collected for the Payment of the Obligations Incurred in the Purchase of Equipment and the Terracing of Said Land in Saluda County and to Provide for the Payment of Obligations Incurred by the County in the Promotion Thereof.

Section 1. County cooperative soil conservation association board, Saluda County—members—term—treasurer—duties.—Be it enacted by the General Assembly of the State of South Carolina: That there shall be created for the County of Saluda, a County Cooperative Soil Conservation Association Board, consisting of three (3) members to be selected by the Saluda County Cooperative Soil Conservation Association, from the membership of said Association,

whose term of office shall be for a period of one year from the date of their selection, or until their successors are elected. That the said Association, through its duly authorized officers shall certify to the County Treasurer of Saluda County, the names of three (3) members who shall be designated as the said Board, together with the date of their selection. The Board so selected shall elect a Treasurer, who shall be under bond, the amount of which shall be determined by the said Board and the Treasurer so elected shall keep the books and accounts of the Board. The books of the Treasurer shall be audited upon the order of the County Delegation. The duties of the said Association Board shall be to promote the control of erosion within Saluda County and to promote such farm functions as will tend toward the improvement of the farm land and the increase of the taxable value thereof.

§ 2. Borrow buy terracing outfit.—The said Association Board herein created, is hereby authorized and directed to make requisition upon the Treasurer of Saluda County to borrow a sum of money not exceeding Forty-five Hundred (\$4500.00) Dollars, and that the Treasurer of Saluda County is hereby authorized, upon receipt of said requisition from said Association Board, to borrow the said sum not exceeding Forty-five Hundred (\$4500.00) Dollars, and give four (4) notes as an evidence thereof, payable in one, two, three and four years, in equal annual installments, with interest thereon not exceeding five (5%) per cent per annum. That the funds so borrowed shall be used by the said Association Board for the purchase of a New Tractor, Grader and terracing outfit complete, for the use of terracing lands in Saluda County.

§ 3. Contract terrace lands for farmers.—The said Association Board will direct the work of the terracing program, enter into contracts with farmers for the terracing of their land and contract with the farmers for the use of other heavy duty equipment in a cooperative manner. In entering into these contracts, the price per hour charged farmers will be such that not less than One (\$1.00) Dollar per hour can be repaid to the County Treasurer for the purpose of liquidating the payment of the notes herein authorized. In arriving at the additional charge, the price per hour shall be such that the labor, costs, fuel, grease, and repairs to the equipment, shall be taken care of. The Treasurer of the Association Board shall, at the end of each calendar month, report to the County Treasurer of Saluda County, in writing, the number of hours that the said

equipment has been used during the said month, and shall pay over to the County Treasurer the sum of One (\$1.00) Dollar per hour for the time the said equipment was used in said month, and the said sum shall be held by the County Treasurer in a separate account to be applied by him to the payment of the notes and interest herein authorized. That the foreman in charge of the terracing equipment, herein authorized to be purchased, shall keep a record of the number of hours when said equipment was used on each and every farm on which terracing may be done under the provisions of this Act, and file a written report of the same at the end of each week, in the office of the Farm Demonstration Agent of Saluda County.

§ 4. Require deposits before commencing work.—That the said Association Board, before entering a contract with any farmer to do terracing upon his lands, shall first make an estimate of the cost of said terracing to the said farmer, and shall at the time of entering into said contract and before any of the work is done, shall require a sufficient deposit to be placed with the said Board, to pay the entire cost of the terracing contemplated to be done upon the farm.

§ 5. Payment of notes.—That to secure the payment of the notes herein authorized to be issued by the County Treasurer of Saluda County, the One (\$1.00) Dollar per hour charge, as herein stated, is to be expended only in payment of said notes and interest thereon, and in addition thereto, the full faith, credit and taxing power of Saluda County is hereby pledged to the payment thereof; and that whenever it is determined by the County Treasurer of Saluda County that the said One (\$1.00) Dollar per hour is not sufficient to pay the note and interest, when and as same may become due, then the Auditor of Saluda County and the Treasurer of Saluda County, are respectively authorized to levy and collect such additional amounts as may be necessary to pay the said notes, with interest.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act to take effect immediately upon its approval by the Governor.

Approved the 7th day of April, 1937.

(266)

No. 153.**AN ACT Providing the Amount of Hunting License Fees for Non-Residents of This State.**

Section 1. Hunting license fees for non-residents.—Be it enacted by the General Assembly of the State of South Carolina: That hunting license fees for non-residents of this State shall be Fifteen and 25/100 (\$15.25) Dollars for any one season. Hunting license fees for non-residents of this State for a less period than the entire season, shall be at the rate of Two and 10/100 (\$2.10) Dollars per day, and every such hunter, upon payment of the proper fees, shall be entitled to receive a license to hunt for such number of days as he may desire.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 9th day of April, 1937.

(268)

No. 154.**AN ACT to Abolish the Office of Magistrate at Lyman and Provide for the Office of Magistrate at Reidville and at Duncan in Spartanburg County.**

Section 1. Office of magistrate at Lyman, Spartanburg County, abolished.—Be it enacted by the General Assembly of the State of South Carolina: The office of Magistrate at Lyman in Spartanburg County shall be abolished at the expiration of the present term of the Magistrate now serving as such at said place.

§ 2. **Office of magistrate at Reidville and at Duncan, Spartanburg County—created—appointment—compensation.**—The office of Magistrate is hereby created at Reidville and at Duncan in the County of Spartanburg, such Magistrates for said places to be appointed as now provided for by law. Said Magistrates shall receive such compensation for their services as shall be fixed in the County Supply Bill for Spartanburg County.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

This Act became effective, when the Governor, to whom it was presented April 8, 1937, neither approved it nor returned it to the house in which it originated within three days, the General Assembly being in session.

(269)

No. 155.**AN ACT Regulating the Use of Seins and Nets for Fishing in Clarendon County.**

Section 1. Season use seines and nets in fishing, Clarendon County.—Be it enacted by the General Assembly of the State of South Carolina: The season for the use of seines or nets in fishing provided in the last proviso in Subsection (i) of Section 1751 of the Code of Laws of 1932, shall be closed on the first day of April in Clarendon County, so that said season in Clarendon County shall be from the first day of September to the first day of April only.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act to take effect upon its approval by the Governor.
Approved the 9th day of April, 1937.

(273)

No. 156.**AN ACT to Create the Office of Tax Collector in Horry County, to Provide for the Appointment and Compensation of Said Officer and to Define His Duties.**

Section 1. Tax collector, Horry County—appointment—term removal.—Be it enacted by the General Assembly of the State of South Carolina: The office of Tax Collector is hereby created and established in Horry County, to take effect as herein provided. Said Tax Collector shall be appointed and commissioned by the County Board of Commissioners for Horry County. He shall hold office for a term of two years from July 1, 1937, or until his successor shall have been appointed and qualified, provided that the term of the Tax Collector first appointed shall commence with the date of such appointment and expire on June 30, 1939, or when his successor shall have been appointed and qualified. The Tax Collector shall be subject to removal at any time upon the request of

the Senator and a majority of the Legislative Delegation of Horry County.

§ 2. Salary — travel — expenses — bond—officers assist.—The salary and travel expenses of the Tax Collector shall be as fixed in the annual Supply Act for Horry County. Before taking office the Tax Collector shall give an indemnity bond in the sum of Fifteen Thousand (\$15,000.00) Dollars, conditioned on the faithful performance of his duties, the premiums on said bond to be paid by Horry County. The Tax Collector may call on the Sheriff, any Rural Policeman of the County or any Constable in the County to render him aid and assistance as may be necessary, which shall be rendered without cost and consideration, in the ejectment of any occupant or tenant in possession of any property at any time ejectment shall be lawful and proper in the discharge of his duties as such officer. He shall also have the right to call upon the County Attorney at any time to make examination of the public records and to furnish him advise, to the end that upon sale of any property for the delinquent taxes the requirements of law may be fully met and complied with, so that any purchaser or purchasers thereof shall receive a good and valid title to such property.

§ 3. Costs and fees—collection—disposition.—All fees, penalties, costs and mileage now or hereafter provided by law, shall, when collected by the Tax Collector, or Deputy Tax Collectors, be paid over to the County Treasurer, and the said Tax Collector, or Deputy Tax Collectors are hereby prohibited from charging, receiving or demanding any costs, commissions or other expenses for themselves from any taxpayer.

§ 4. Records—assist auditor—report uncollectible executions.—The Tax Collector shall keep all records as now provided by law for the collection of delinquent taxes. He shall assist the County Auditor in listing on the Tax Books any real or personal property he may find not listed, or which is escaping taxation, and shall furnish the County Auditor the name of any taxpayer whom he may find subject to taxation that is not listed on the books for poll or commutation tax or otherwise. All executions found after investigation to be uncollectible shall be reported to the County Treasurer as “nulla Bona” items, provided the Tax Collector shall state in writing his reasons for being unable to collect the same, and the County Auditor and County Treasurer shall approve the same before the “nulla bona” shall be accepted as a credit to the Tax Collector.

§ 5. Deputy tax collectors.—The Tax Collector shall have the authority to appoint a Deputy Tax Collector, or Deputy Tax Collectors, as he may deem advisable provided the Tax Collector shall not appoint a greater number of Deputy Tax Collectors than are provided for in the County Supply Act for Horry County. The Deputy Tax Collectors appointed under the provisions of this Act shall have all the authority of the Tax Collector in the collection of delinquent taxes, provided that the Tax Collector shall be responsible for the acts of the Deputy Tax Collector, or Tax Collectors. The said Deputy Tax Collector, or Deputy Tax Collectors shall give an indemnity bond to Horry County in the sum of Five Thousand (\$5,000.00) Dollars, the premiums on said bond or bonds to be paid by Horry County. The salaries and travel expenses of the Deputy Tax Collector, or Deputy Tax Collectors shall be as fixed in the annual County Supply Act for Horry County.

§ 6. Office—supplies.—The Tax Collector shall be assigned office space in the Court House by the custodian of the building, and such office equipment, books and supplies as are necessary for the proper performance of his duty shall be supplied by the County Board of Commissioners.

§ 7. Sheriff turn over to tax collector executions and records and settle with treasurer therefor.—When the Tax Collector shall have been appointed and qualified as provided herein, the Sheriff of Horry County shall immediately turn over to the said Tax Collector all executions, books and records pertaining to the delinquent taxes, at the same time paying over to the County Treasurer such funds as he may have collected on account of delinquent taxes.

§ 8. Powers and duties of sheriff as to collection of delinquent taxes devolved on tax collector.—It is understood and declared by this Act that all powers, duties and authority now vested in the Sheriff for the said County as to the collection of delinquent taxes, the seizure and sale of said property, the making of deeds and delivery of possession of any property sold for taxes, are hereby conferred on the Tax Collector on his appointment; and he shall have full authority and power to carry into effect all laws pertaining to tax executions or collection of delinquent taxes, the same as is now provided for Sheriffs and the said Sheriff of Horry County will then be relieved from the collection of any and all delinquent property taxes.

§ 9. All Acts or parts of Acts inconsistent herewith are repealed to the extent of such inconsistency.

§ 10. This Act shall take effect upon approval of the Governor.
Approved the 9th day of April, 1937.

(274)

No. 157.

AN ACT Providing for the Appointment, Term of Office, Salary and Duties of the Superintendent of Education for Dillon County.

Section 1. Superintendent of education, Dillon County—appointment—term.—Be it enacted by the General Assembly of the State of South Carolina: The County Superintendent of Education for Dillon County shall be appointed by the Governor upon the recommendation of the County Board of Education, or a majority thereof. His term of office shall be for two (2) years commencing July 1st, and until his successor has been appointed and duly qualified.

§ 2. Salary—travel expenses—duties.—His salary shall be two thousand (\$2,000.00) dollars per annum, payable monthly, and he shall be allowed four hundred (\$400.00) dollars per year for traveling expenses, likewise to be paid monthly. He shall devote his entire time, exclusively, to the supervision and welfare of the schools in Dillon County and the discharge of his duties, which shall be as now provided and as directed by the County Board of Education.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 9th day of April, 1937.

(280)

No. 158.

AN ACT Giving Consent to the Making by Congress of All Rules and Regulations in Respect to Game Animals, Game Birds and Non-Game Birds, and Fish on Lands Acquired by the United States in South Carolina, Under Act of Congress March 1, 1911; Authorizing Chief Game Warden to Enter Into Co-operative Agreements with the United States for the Protection and Management of Wild Life Resources on National Forest Land in South Carolina and to Re-stock the Same; Authorizing the Chief Game Warden to Close Hunting and Fishing Within Said Lands, to Prescribe Season

for Hunting and Fishing Therein, to Fix Hunting License Fees, to Prescribe Number and Size of Animals, Birds and Fish to be Taken, and to Provide Conditions Under Which the Same May be Taken; Prescribing Penalty for Violating Rules and Regulations of the Chief Game Warden and for Other Purposes.

Section 1. Legislature consent to Congress making rules and regulations as to game animals, game birds and non-game birds and fish on lands acquired by United States in state under act of Congress March 1, 1911.—Be it enacted by the General Assembly of the State of South Carolina: The consent of the General Assembly is hereby given to the making by Congress of the United States, or under its authority, of all such rules and regulations as the Federal Government shall determine to be needful in respect to game animals, game birds and non-game birds, and fish on such lands in the State of South Carolina as shall have been, or may hereafter be, purchased by the United States under the terms of the Act of Congress of March 1, 1911, entitled "An Act to enable any State to cooperate with any other State or States, or with the United States for the protection of the watersheds of navigable streams and to appoint a Commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers" (36 United States Statutes at Large, page 961), and Acts of Congress supplementary thereto and amendatory thereof, and in or on the waters thereof, (Acts 1922, p. 106).

§ 2. Chief game warden enter into agreements with United States for protection and management of wild life resources of national forest lands in state and for restocking same.—The Chief Game Warden of the State of South Carolina shall have the right and authority to enter into a cooperative agreement with the United States Government, or with the proper authorities thereof, for the protection and management of the wild life resources of the National Forest lands within the State of South Carolina and for the re-stocking of the same with desirable species of game, birds and other animals, and fish.

§ 3. Hunting and fishing within said lands.—The Chief Game Warden of the State of South Carolina shall have authority to close all hunting and fishing within said lands so contracted for with the Federal Government for such period of time as may, in the opinion of the Chief Game Warden, be necessary; shall have authority from

time to time to prescribe the season for hunting and fishing therein, to fix the amount of fees required for special hunting licenses and to issue said licenses, to prescribe the number of animals and game, fish and birds that shall be taken therefrom and the size thereof, and to prescribe the conditions under which the same may be taken.

§ 4. **Penalty.**—Any person violating any of the rules so promulgated by the Chief Game Warden, or who shall hunt or fish upon said lands at any time, other than those times specified by the Chief Game Warden, shall, upon conviction therefor, be fined not less than \$25.00 nor more than \$100.00, or imprisonment for not less than ten days nor more than thirty days for each and every offense.

§ 5. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 9th day of April, 1937.

(282)

No. 159.

AN ACT to Amend Sections 555 and 558 Vol. 1, Code of Laws of South Carolina, 1932, so as to Provide that Undertakings in Claim and Delivery Actions Shall Cover Any Depreciation Suffered by the Property Pending the Determination of the Action.

Section 1. § 555, 1932 Code, amended—undertakings in claim and delivery actions cover depreciation of property pending determination of action.—Be it enacted by the General Assembly of the State of South Carolina: That Section 555, Vol. 1, Code of Laws of South Carolina, 1932, be and the same is hereby amended by inserting in line 6, immediately after the word "plaintiff", the following: "including damages suffered on account of depreciation in value of the property pending the determination of the action", So that said Section, when so amended, shall read as follows:

"Section 555. Upon the receipt of the affidavit and notice, with a written undertaking executed by one or more sufficient sureties, approved by the sheriff, to the effect that they are bound in double the value of the property, as stated in the affidavit for the prosecution of the action, for the return of the property to the defendant, if the return thereof be adjudged, and for the payment to him of such sum as may, for any cause, be recovered against the plaintiff,

including damages suffered on account of depreciation in value of the property pending the determination of the action, the sheriff shall forthwith take the property described in the affidavit, if it be in the possession of the defendant or his agent, and retain it in his custody. He shall also, without delay, serve on the defendant a copy of the affidavit, notice and undertaking, by delivering the same to him personally, if he can be found, or to his agent, from whose possession the property is taken, or, if neither can be found, by leaving them at the usual place of abode of either, with some person of suitable age and discretion. In case the plaintiff does not execute the required undertaking, the party having possession of the property shall retain the same until the determination of the suit.

§ 2. § 558, 1932 Code, amended—same.—That Section 558, Vol. 1, Code of Laws of South Carolina, 1932, be and the same is hereby, amended on line 7 by inserting immediately after the word “cause”, the following: “including damages suffered on account of depreciation in value of the property pending the determination of the action”, so that said Section, when so amended, shall read as follows:

Section 558. At any time before the delivery of the property to the plaintiff, the defendant may, if he do not except to the sureties of the plaintiffs, require the return thereof, upon giving to the sheriff a written undertaking, executed by two or more sufficient sureties, to the effect that they are bound in double the value of the property, as stated in the affidavit of the plaintiff, for the delivery thereof to the plaintiff, if such delivery be adjudged, and for the payment to him of such sum as may, for any cause, including damages suffered on account of depreciation in value of the property pending the determination of the action, be recovered against the defendant. If a return of the property be not so required within three days after the taking and service of notice to the defendant, it shall be delivered to the plaintiff, except as provided in Section 563.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 9th day of April, 1937.

(283)

No. 160.

AN ACT to Amend Section 2 of Act No. 829 of the Acts of South Carolina, 1936, Entitled "An Act to Provide for the Supplying of Textbooks on a Rental System to the School Children of South Carolina; to Establish Methods of Distribution, Care and Use of said Books; to Provide School Books for Said Rental System, and Establish the State School Book Commission and Prescribe Its Duties and Powers," so as to Provide Library Books and Establish Methods for the Distribution Thereof in the Public Schools of South Carolina,

Section 1. Act 829, 1936 Acts, amended—state school book commission furnish library books—selection—distribution—school districts or county acquire—library committee.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2 of Act No. 829 of the Acts of South Carolina, 1936, entitled "An Act to Provide for the Supplying of Textbooks on a Rental System to the School Children of South Carolina; to Establish Methods of Distribution, Care and Use of Said Books; to Provide School Books for said Rental System, and Establish the State School Book Commission and Prescribe its Duties and Powers", be and the same is hereby amended by adding at the end of said Section the following:

"Provided, Further, That the State School Book Commission is authorized and directed to furnish library books, from an approved list, to the Public School Districts or Counties of this State upon the same terms and conditions that textbooks are now furnished under the terms of this Act. Provided, However, When any School District or County shall pay the State School Book Commission the purchase price, plus interest, for said library books, said books shall become the property of the School District or County paying for the same; and there shall be created and established a Library Committee to be composed of the State Superintendent of Education, the Director of the Division of Elementary Education, the High School Supervisor and four (4) other members to be appointed by the State Superintendent of Education, two (2) representing the elementary schools and two (2) representing the high schools. All library books provided for under this Act shall be selected from an approved list to be furnished the State School Book Commission by the said Library Committee", so that when so amended, Section 2 of said Act shall read as follows:

"Section 2. That the State School Book Commission is hereby authorized, empowered and directed to provide all the textbooks for use in the public schools of South Carolina on a rental system whereby the pupils in the public schools will pay an annual rental in an amount to be fixed by the State School Book Commission and in its discretion graduated as to grades and to be sufficient to pay all the costs of the administration of this Act and the purchase of any books necessary to be acquired by the State School Book Commission. Said rentals shall be paid by or for each pupil annually in advance upon the opening of school or before any pupil is allowed the use of said books. No pupil in the public schools of the State shall be required to pay any larger amount for the use of the books than above authorized nor to buy outright or otherwise acquire any textbooks, but any pupil may purchase, if he so desires, the books to be used by him, in which event no rental fee will be charged to said pupil. The State School Book Commission shall not be required to furnish materials which shall be consumed or rendered worthless in any one year, such as pencils, tablets, workbooks, drawing materials, etc. *Provided, However,* That nothing contained in this Act shall abrogate the power of such school districts or counties as now have or hereafter may have the right to set up rental or free textbook systems and all rentals received by said districts or counties from rental of books belonging to said districts or counties shall be retained by the said districts or counties: *Provided, Further,* That school districts enrolling five thousand (5,000) or more school pupils may have the right to set up rentals or free textbook systems and choose and purchase their own textbooks, and all rentals received by said districts from rental of books belonging to said districts shall be retained by said districts: *Provided, Further,* That any State Institution of higher learning may, in the discretion of the respective boards of trustees or other governing body, set up a textbook rental system in the same manner as is provided in this Act for school districts and to choose or purchase their own textbooks, and all funds received by said institutions from rental of books belonging to said institution shall be retained by them, respectively. *Provided, Further,* That upon the resolution of the Legislative Delegation of the county affected, any County or School District, as the case may be, may abandon its rental or free system of textbooks and accept the provisions of this Act. Upon any such County or School District abandoning its rental or free system and accepting the provisions of this Act, it shall be the duty of the State School Book Commission to

make, or cause to be made, an investigation and to determine the value to the State of any textbooks belonging to said County or District which can reasonably be of use to the State under this Act, and to purchase useful books from said County or District, either paying cash therefor, or in such installments as may be agreed upon between the State School Book Commission on the one hand and the County Board of Education, or Trustees as the case may be, on the other hand. In the event it be agreed upon to pay therefor in installments, then the State School Book Commission shall enter into reimbursement agreements with said officials to pay said installments in the future. *Provided, Further,* That the provisions of this Act shall not apply to any school district in which the Board of Trustees of said school district shall file before August 1, 1936, with the State School Book Commission a written statement, approved by the Senator and at least one-half of the Representatives from such County, to the effect that it does not elect to come under the provisions of this Act: *Provided, Further,* That the provisions of this Act shall not apply to any County in which the County Board of Education shall file before August 1, 1936, with the State School Book Commission a written statement, approved by the Senator and at least one-half of the Representatives from such County, to the effect that it does not elect to come under the provisions of this Act. *Provided, Further,* That the State School Book Commission is authorized and directed to furnish library books, from an approved list, to the Public School Districts or Counties of this State upon the same terms and conditions that textbooks are now furnished under the terms of this Act. *Provided, However,* When any School District or County shall pay the State School Book Commission the purchase price, plus interest, for said library books, said books shall become the property of the School District or County paying for the same; and there shall be created and established a Library Committee to be composed of the State Superintendent of Education, the Director of the Division of Elementary Education, the High School Supervisor and four (4) other members to be appointed by the State Superintendent of Education, two (2) representing the elementary schools and two (2) representing the high schools. All library books provided for under this Act shall be selected from an approved list to be furnished the State School Book Commission by the said Library Committee. *Provided, Further,* That any County or school district having their own rental or free textbook system

shall be entitled to receive all benefits under the rental library provisions of this Act.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of April, 1937.

(285)

No. 161.

AN ACT to Fix the Pay of Circuit Jurors for Sumter County.

Section 1. Pay of circuit court jurors, Sumter County.—Be it enacted by the General Assembly of the State of South Carolina: From and after the passage of this Act the petit and grand jurors for Sumter County in the Circuit Courts shall be paid three (\$3.00) dollars each per day in addition to the per diem, as provided by law.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 8th day of April, 1937.

(286)

No. 162.

AN ACT to Amend an Act, Entitled "An Act to Limit the Season for Hunting Deer in Horry County", Known as Act No. 212 of the Acts of the General Assembly for 1935, so as to Shorten the Open Season for Hunting Deer in Horry County.

Section 1. Act 212, 1935 Acts, amended—season hunt deer, Horry County.—Be it enacted by the General Assembly of the State of South Carolina: That an Act, entitled "An Act to Limit the Season for Hunting Deer in Horry County", known as Act No. 212 of the Acts of the General Assembly for 1935, be, and the same is hereby amended by striking out the word "September" on line 4 of said section and inserting in lieu thereof the word "October", so that said section, when so amended, shall read as follows:

"Section 1: The open season for hunting deer (bucks only) in Horry County shall be from the first day of October to January first, inclusive".

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 9th day of April, 1937.

(287)

No. 163.

AN ACT to Provide a Closed Season for Hunting Birds, Raccoons and Opossums in Horry County, and to Provide a Penalty for Violation Thereof.

Section 1. Closed season hunt birds, raccoons and opossums, Horry County.—Be it enacted by the General Assembly of the State of South Carolina: That a closed season for hunting birds in Horry County shall begin February first and end Thanksgiving Day of each year; and for hunting raccoons and opossums from February first to November first, of each year.

§ 2. Penalty.—Any violation of this Act shall be punishable by a fine of not over one hundred dollars or by imprisonment for not over thirty days.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 9th day of April, 1937.

(288)

No. 164.

AN ACT to Amend Section 17 of an Act Entitled, "An Act to Define Alcoholic and Non-Alcoholic and Non-Intoxicating Beverages; to Legalize and Regulate the Manufacture, Sale, Possession, Transportation, and Use of Alcoholic Liquors; to Provide for Licensing Manufacturers and Dealers; to Lay a License Tax on Alcoholic and Non-Alcoholic and Non-Intoxicating Beverages; to Allocate the Revenue Therefrom; to Provide for the Administration and Enforcement Hereof and Making Appropriations Therefor; to Repeal Section 1902 of the South Carolina Code of Laws of 1932; to Prohibit Bill Board Advertising; to Forbid Violations Hereof and to Provide Penalties Therefor."', Approved the 14th Day of May, 1935, and Known as Act No. 232, of the Acts of the General Assembly of 1935; so as to Provide that When No Bids are Had Upon Confiscated Liquors After Two Offers of Sale, the Same Shall be Destroyed.

Section 1. Act 232, 1935 Acts, amended—sale of confiscated liquors—destroy if no bids received after two offers of sale.—Be it enacted by the General Assembly of the State of South Caro-

lina: That Section 17 of an Act entitled, "An Act to define Alcoholic and Non-Alcoholic and Non-Intoxicating Beverages; to legalize and Regulate the Manufacture, Sale, Possession, Transportation, and the use of Alcoholic Liquors; to Provide for Licensing Manufacturers and Dealers; to lay a License Tax on Alcoholic and Non-Alcoholic and Non-Intoxicating Beverages; to Allocate the Revenue therefrom; to Provide for the Administration and enforcement hereof and making Appropriations therefor; to Repeal Section 1902 of the South Carolina Code of Laws of 1932; to Prohibit Bill Board Advertising; to Forbid Violations hereof and to Provide Penalties Therefor.", by adding at the end of Section 17, the following Proviso: *Provided, Further*, that after confiscated liquors are offered for sale, after advertisement, as herein provided on two different dates, and no bids are made thereon, then the same shall be destroyed by the proper officers, as now provided for by law; so that said Section, when so amended, shall read as follows:

"That any alcoholic liquors found in the possession of any one within this State not having affixed to the bottle or container the stamps required in this Act, as hereinabove provided, are hereby declared to be contraband, and the same may be seized by the Tax Commission, or its agents or employees, or by any peace officer without warrant, and the sheriff of the county in which such seizure is made shall take possession of said alcoholic liquors so seized for sale at public auction to the highest bidder, after due advertisement, but no sale shall be made to any person other than licensed manufacturers, wholesalers, or retail dealers licensed under the provisions of this Act, and the sheriff before delivery of any goods so seized to any purchaser shall require the purchaser to affix the proper amount of stamps to the individual packages, as above defined. The proceeds of sale for any alcoholic liquors sold hereunder shall be immediately turned over to the Tax Commission to be thereafter turned over to the State Treasury, as other funds collected by said Commission: *Provided*, That the cost of confiscation and sale shall be paid out of the proceeds derived from such sale before making remittance to the Tax Commission: *Provided, Further*, That any chattel used primarily and with knowledge of the owner in the transportation of alcoholic liquors in violation of the provisions of this Act, shall be subject to confiscation and sale in the same manner as provided for unstamped alcoholic liquors, except that such chattel may be sold to any person, and excepting further, that when such chattel has been seized by municipal officers the proceeds of such sale shall be paid

to such municipality for its use. That for the purpose of confiscating said vehicle and alcoholic liquors above referred to, the sheriff shall proceed as nearly as may be practicable under the provisions of subdivision (9) Section 2527, Code of Laws of 1932, Volume 1, *Provided, Further*, That no alcoholic liquors except such as may have been manufactured by a licensed manufacturer, either within or without the State, or alcoholic liquors of unquestioned purity and content, shall be sold at public auction as herein provided, and that any other liquors which may be confiscated shall be destroyed by the proper officers as now provided by law, *Provided, Further*, That no liquors so sold shall be delivered within a period of five days after such sale, during which time the Tax Commission may, in its discretion, reject any bid and order the liquors resold until a satisfactory bid is had: *Provided, Further*, That after confiscated liquors are offered for sale, after advertisement, as herein provided on two different dates, and no bids are made thereon, then the same shall be destroyed by the proper officers, as now provided for by law.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act to take effect immediately upon its approval by the Governor.

Approved the 9th day of April, 1937.

(289)

No. 165.

AN ACT to Change the Fiscal Year of Anderson County From January 1st to December 31st to From July 1st to June 30th.

Section 1. Fiscal year, Anderson County.—Be it enacted by the General Assembly of the State of South Carolina: That the fiscal year of the County affairs of Anderson County be, and the same is hereby, changed from January 1st to December 31st, to from July 1st to June 30th, inclusive.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 9th day of April, 1937.

(290)

No. 166.**AN ACT to Provide for the Establishment and Management of a Public Library for Marlboro County, South Carolina.**

Section 1. Marlboro County public library—location.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby established a public library for the County of Marlboro to be located at Bennettsville, South Carolina, and known as the Marlboro County Public Library.

§ 2. Trustees.—The said library shall be managed by a board of five (5) trustees appointed as follows:

Two (2) by the Bennettsville Library Association, one (1) by the Delegation to the General Assembly from Marlboro County, one (1) by the County Board of Education and the fifth (5th) to be the Superintendent of Education for said County who, ex-officio, shall be a trustee.

Three (3) of said trustees shall hold office for a period of four (4) years, two (2) for a period of two (2) years, and in each instance until their successors are appointed and qualified. The terms of office shall be originally determined by drawing of lots, but of the two (2) members appointed by the Bennettsville Library Association only one (1) shall serve for a four (4) year period. All vacancies shall be filled as provided for in the original appointments and for the unexpired term. Each successor for a regular term shall hold office for the period provided for the trustees succeeded in office.

The trustees of the Marlboro County Public Library are fully authorized and empowered to acquire by gift, take over, the Bennettsville Public Library, its building, books, equipment and property but are not authorized to assume any liability thereabout.

§ 3. Rules and regulations.—The said trustees are given plenary power to make all rules and regulations as, in their judgment, are proper for the management of the said Library and the safeguarding of its property; but are in no instance empowered to contract obligations save as may be specifically authorized.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 9th day of April, 1937.

(291)

No. 167.

AN ACT to Confirm and Ratify an Election Held Consolidating Certain School Districts in Williamsburg County, and to Consolidate Certain School Districts in Williamsburg County Into a High School District, and Provide for Appointment of Trustees and Fix the Term of Office and Selection of Successors.

Section 1. Williamsburg High School District, Williamsburg County—district elections form validated.—Be it enacted by the General Assembly of the State of South Carolina: Elections held in the following districts on the question of consolidating the same into a high school district to be known as Williamsburg High School District, on December 12, 1934, to-wit: Suttons School District No. 4; Anderson School District No. 5; Cedar Creek School District No. 20; Taft School District No. 21; Earle School District No. 36; Aimwell School District No. 39; Trio School District No. 41; Johnson Swamp School District No. 52; Wee Tee School District No. 59; and Andrews School District No. 12 A, be, and the same is, hereby ratified and confirmed in all respects irrespective of any irregularities that may have been in said election.

§ 2. School districts consolidated into “Williamsburg High School”—powers and privileges.—The following school districts in Williamsburg County are hereby consolidated into a high school district under the name of “Williamsburg High School”, to-wit: Suttons School District No. 4; Anderson School District No. 5; Cedar Creek School District No. 20; Taft School District No. 21; Earle School District No. 36; Aimwell School District No. 39; Trio School District No. 41; Johnson Swamp School District No. 52; Wee Tee School District No. 59 and Andrews School District No. 12 A. Williamsburg High School District shall have all of the powers and privileges now conferred by law upon high school districts in the State of South Carolina.

§ 3. Trustees—number—term of incumbents.—The trustees now serving as such in the Williamsburg High School District shall hold office until their respective terms of office shall expire, and immediately thereafter there shall be appointed nine (9) trustees, one from each of the old school districts referred to in Sections 1 and 2 hereof, except there shall be no appointment from Andrews School District No. 12 A.

§ 4. **Trustees—appointment—duties and powers.**—The said trustees shall be appointed under the general provisions of law relating to the appointment of boards of trustees for school districts in the State of South Carolina, and shall have and exercise all of the powers and duties conferred upon said boards under the general laws of this State.

§ 5. **Trustees—terms—vacancy.**—That the County Board of Education of Williamsburg County in the appointment of trustees for Williamsburg High School District shall appoint at the expiration of the terms of the trustees five (5) to serve for a term of one (1) year, and four (4) to serve for a term of two (2) years and thereafter each appointment shall be for a period of five (5) years. *Provided, However,* If a vacancy should occur on said board by death, resignation or otherwise the successor appointed shall hold office only for the unexpired term of his or her predecessor.

§ 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.

Approved the 9th day of April, 1937.

(293)

No. 168.

AN ACT to Provide for the Election and Appointment of Trustees for Pelham School District, and Fixing the Number and Term of Office.

Section 1. Trustees, Pelham School District, Greenville and Spartanburg Counties.—Be it enacted by the General Assembly of the State of South Carolina: The Pelham School District which is composed of territory situate in the Counties of Spartanburg and Greenville shall have a board of trustees composed of three members to be elected and appointed by the joint County Boards of Education in Spartanburg and Greenville Counties. W. M. Jones shall be a member of said Board of Trustees for a term of two years beginning April 1, 1937, and C. B. Cannon shall be a member of said Board for a term of one year beginning April 1, 1937, and a third member shall be elected and appointed by the said County Boards of Education for a term of three years beginning April 1, 1937. The said County Boards of Education shall annually on the first of April of each year elect and appoint, to serve for a term of three years, a successor to the one whose term of office shall expire. *Provided,* That

at no time shall said Board be composed of more than two trustees from either county.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 9th day of April, 1937.

(295)

No. 169.

AN ACT to Authorize Incorporated Cities and Towns in Pickens County to Appoint One to Three of Its Citizens to Act in an Advisory Capacity to the Pickens County Board of Equalization and the School Trustees of Pickens County.

Section 1. Municipalities appoint citizens act in advisory capacity to board of equalization and school trustees, Pickens County.

—Be it enacted by the General Assembly of the State of South Carolina: The incorporated cities and towns in Pickens County are authorized and empowered to appoint, in their discretion, one to three citizens to act in an advisory capacity to the Pickens County Board of Equalization and the School Trustees of Pickens County in assessing and arriving at a fair and equitable basis of valuation of the property within incorporated cities and towns of Pickens County. Any cost connected with the performance of the duties so devolved upon the selected citizens by the several cities and towns shall be borne by the cities and towns so appointing, which shall not exceed a per diem of three (\$3.00) dollars. In no wise shall it be obligatory upon any city or town in Pickens County to appoint or designate any one to serve in the capacity hereinabove set forth.

§ 2. This Act shall take effect upon its approval by the Governor.

Approved the 9th day of April, 1937.

(296)

No. 170.

AN ACT to Amend Sections 5676 and 5677, Code of Laws 1932, so as to Change the Name of the Dr. John De La Howe Industrial School to the De La Howe School.

Section 1. §§ 5676 and 5677, 1932 Code, amended—name of Dr. John De La Howe Industrial School changed to John De La Howe School.—Be it enacted by the General Assembly of the State

of South Carolina; That Sections 5676 and 5677, Code of Laws of South Carolina, 1932, be, and the same are, hereby amended by striking out the words "Dr. John De La Howe Industrial School" wherever same appear and inserting in lieu thereof the words "John De La Howe School", so that said Sections when so amended shall read as follows:

"Section 5676. There is hereby established under the provisions of this article an institution to be known as the John De La Howe School.

Section 5677. The John De La Howe School is hereby declared to be a body corporate and, as such, may sue and be sued, plead and be impleaded, in its corporate name; may have and use a proper seal, which it may alter at its pleasure; and shall have the right to acquire by purchase, deed, devise, lease for a term of years, bequest or otherwise, such property, real and personal, in fee simple without limitations, as may be necessary or proper for carrying out the purposes of its organization as herein declared."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(297)

No. 171.

AN ACT to Amend an Act Entitled "An Act to Exempt from Taxation All Lands in Georgetown County Owned by an Eleemosynary Corporation Known as Brookgreen Gardens, Chartered for the Preservation and Exhibition of the Flora and Fauna of South Carolina", so as to Provide for Exemption from Taxation Such Additional Lands and Properties as May be Added to the Said Brookgreen Gardens.

Section 1. Act 695, 1932 Acts, amended—additional properties of Brookgreen Gardens exempt from taxes.—Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled "An Act to Exempt from Taxation all Lands in Georgetown Owned by An Eleemosynary Corporation Known as Brookgreen Gardens, Chartered for the Preservation and Exhibition of the Flora and Fauna of South Carolina", approved the 21st day of March, 1932, and designated as Act No. 695 of the Acts of the General As-

sembly for 1932, be, and the same is, hereby amended by adding in line three after the word "corporation", the following: "and such land or other property as may now be owned or hereafter owned or acquired by the said corporation", so that, when so amended, the said Section 1 shall read as follows:

"Section 1. That the lands conveyed to the above mentioned corporation and such land or other property as may now be owned or hereafter owned or acquired by the said corporation, known as Brookgreen Gardens, be exempt from all taxes for State, County, School or Municipal purposes, so long as the said gardens shall be maintained and the said lands used exclusively for the purposes herein set forth, and the public admitted thereto under such reasonable restrictions as may be necessary without charge or impost."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(298)

No. 172.

AN ACT to Define the Term "Banks" and "Banking Institutions" as Used in Statutes of This State Providing for the Promulgation of Rules, Regulations and Instructions for the Direction, Control and Protection of All Such Institutions, the Conservation of Their Assets and the Liquidation Thereof.

Section 1. "Banks" and "Banking institutions" as used in statutes providing for promulgation of rules, regulations, and instructions for direction, control and protection of such institutions, conservation of their assets and liquidation thereof defined.—Be it enacted by the General Assembly of the State of South Carolina: That the term "banks" and "banking institutions" as used in the Statutes of this State providing for the promulgation of rules, regulations and instructions for the direction, control and protection of all such institutions, the conservation of their assets and the liquidation thereof, is defined as and shall be construed to include any duly incorporated banking corporations, firm, partnership, association, individual or group of individuals, a substantial part of whose business consists of receiving deposits and making loans and discounts.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(299)

No. 173.

AN ACT to Empower the State Board of Bank Control to Provide for the Filing of Written Reports of Any Criminal Violations of the Statutes of the State of South Carolina or of Any Duly Promulgated Rules and Regulations of the Said State Board of Bank Control With the Grand Jury for the County in Which Such Criminal Violations are Committed, or to Direct the Chief Bank Examiner to Make Affidavit Before a Magistrate and Obtain a Warrant.

Section 1. State board of bank control may file reports of criminal violations with grand juries and solicitors, or direct chief bank examiner make affidavit and obtain warrant.—Be it enacted by the General Assembly of the State of South Carolina: That, when in the exercise of the powers of supervision over banks, banking institutions, building and loan associations, cash depositories, and all institutions doing any kind of banking or building and loan business, by the State Board of Bank Control through its examining department, there shall be found any apparent criminal violation, or violations of any statute, or statutes of the State of South Carolina, or of any rule or rules, or regulation, or regulations of the said State Board of Bank Control, the Chief Bank Examiner shall file with the said State Board of Bank Control a written report of any and all such apparent criminal violations, which report shall be considered by the said State Board of Bank Control at its next meeting, and should the said State Board of Bank Control conclude that the matters covered in such report of the Chief Bank Examiner do constitute apparent violations of existing statutes, or rules or regulations of the said State Board of Bank Control, then the Board may direct the Chief Bank Examiner to file a detailed written report of such apparent criminal violations of existing statutes or rules or regulations of the State Board of Bank Control with the Grand Jury for the County in which the apparent criminal violations were committed, or direct him to make affidavit before a Magistrate and obtain a

warrant; and *Provided, Further*, The said State Board of Bank Control may direct the Chief Bank Examiner to file a copy of the detailed written report of the apparent criminal violations with the Solicitor for the Judicial Circuit in which the county in which the apparent criminal violations were committed is located.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(300)

No. 174.

AN ACT to Amend Section 7 of an Act Entitled "An Act to Provide a Schedule of State Aid for Public Schools; to Levy and Impose Additional Income Taxes and Public Utility and Other Corporation Taxes and Licenses; to Levy and Impose a License Tax Upon Wholesale and Retail Dealers in Malt and Vinous Beverages; to Provide for the Issuance of Notes for Certain School Obligations; and to Prescribe Penalties for the Violation of the Terms of This Act", Known as Act No. 406 of the Acts of 1933, so as to Provide for the Regulation of Special School District Levies and the Method of Handling School Funds in Laurens County.

Section 1. Act 406, 1933 Acts, amended—Laurens County eliminated from proviso in section 7.—Be it enacted by the General Assembly of the State of South Carolina: That Section 7 of an Act entitled "An Act to Provide a Schedule of State Aid for Public Schools; to Levy and Impose Additional Income Taxes and Public Utility and Other Corporation Taxes and Licenses; to Levy and Impose a License Tax Upon Wholesale and Retail Dealers in Malt and Vinous Beverages; to Provide for the Issuance of Notes for Certain School Obligations; and to Prescribe Penalties for the Violation of the Terms of this Act" be, and the same is hereby, amended by striking out the word "Laurens" on line 33 of said Section so that when so amended it shall read as follows:

"Section 7: That so much of Section 5479, Code of Laws of South Carolina, 1932, providing for a levy of four mills for the purpose of paying teachers' salaries, be, and the same is hereby, repealed; and that all existing special tax levies in all counties and all

school districts within the state, for the purpose of paying teachers' salaries and other expenses may be reduced as deemed advisable by local boards of trustees and the County Boards of Education and by the Senator and half of the members of the House of Representatives of the respective counties: *Provided*, That no tax levy for retiring any bonds or other indebtedness of such school district shall be affected hereby: *Provided*, That in the County of Charleston the following levies shall be retained and levied annually for county and school district purposes, to wit: in the school district comprising the City of Charleston, known as School District No. 20, all present, special and district school levies shall be retained, and in place of the four (4) mill levy repealed herein there shall be annually levied hereafter four (4) mills in said district for the school purposes of said district, and in all other school districts in the County of Charleston all present, special and district school levies shall be retained, and in place of the four (4) mill levy repealed herein there shall be annually levied hereafter four (4) mills in said school district for the school purposes of the said district: And, *Provided*, Further, that in the County of Dorchester any present, special and district school levies shall be retained and in place of the four (4) mill levy repealed herein there shall be annually levied hereafter four (4) mills in all school districts in said County of Dorchester for the school purposes of said district: *Provided*, That one mill school levy in Chester County shall be levied annually and retained for County and school district purposes: *Provided*, That the provisions of this Act shall in no way repeal, interfere with or affect the provisions of Act No. 890 of the Acts of the General Assembly of 1928 relating to Fairfield County: *Provided*, Further, that in the Counties of Bamberg, Berkeley, Calhoun, Chesterfield, Colleton, Darlington, Dillon, Edgefield, Oconee, Marion, Pickens, Williamsburg and York the Senator and at least half of the members of the House shall have power to regulate special district levies, the method of handling school funds, and to provide a uniform millage for financing the schools in said county. *Provided*, Further, that the provisions of this Section shall not apply to Greenville County but special levies in school districts may be reduced by the respective boards of trustees and the County Board of Education."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 16th day of April, 1937.

(302)

No. 175.

AN ACT to Restrict and Limit the Use of Highways by Drivers and Pedestrians; to Regulate Traffic on Highways; to Define Certain Crimes in the Use and Operation of Vehicles; to Require Uniform and Safe Driving Practices; to Require Compulsory Accident Reports; and to Provide for Enforcement of This Act and Penalties for Violations.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: **Definitions**—For the purpose of this Act, the following words, phrases, and terms are hereby defined as follows:

Vehicle—Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Motor Vehicle—Every vehicle which is self-propelled and not operated or driven on fixed rails or tracks.

Motorcycle—Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground but excluding a tractor.

Authorized Emergency Vehicle—Vehicles of the fire department (fire patrol), police vehicles, and such ambulances, and emergency vehicles of municipal departments or public service corporations, as are designated or authorized by the Department or the Chief of Police of an incorporated municipality.

Department—The South Carolina State Highway Department.

Local Authorities—Every county, municipal and local board or body having jurisdiction over, and responsible for the maintenance of, any highway or street other than State Highways.

Police Officer—Every officer authorized to direct or regulate traffic or to make arrests for violations of vehicular and traffic laws.

Person—Every individual, partnership, association, trust and corporation, and the receivers, assignees or agents of any of them.

Pedestrians—Any person afoot.

Driver—Every person who drives or is in actual physical control of a vehicle.

Owner—A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in

the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Act.

Highway—Any public road, street, avenue, alley or boulevard, bridge, viaduct or trestle and the approaches thereto, within the limits of the State of South Carolina.

Private Road or Driveway—Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

Roadway—That portion of a highway improved, designed, or ordinarily used for vehicular travel.

Sidewalks—That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Laned Highway—A highway the roadway of which is divided into three or more clearly marked lanes for vehicular traffic.

Through Highway—Every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this Act.

Intersection—The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

Crosswalk—That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Safety Zone—The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

Business District—The territory contiguous to and including a highway when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.

Residence District—The territory contiguous to and including a highway not comprising a business district when the property on

such highway for a distance of 300 feet or more is in the main improved with residences.

Official Traffic Control Devices—All signs, signals, markings, and devices not inconsistent with this Act placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

Traffic—Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly or together while using any highway for purposes of travel.

Right-of-Way—The privilege of the immediate use of the highway.

§ 2. Speed Restrictions;

(a) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions then existing.

(b) Where no special hazard exists the following speeds for passenger vehicles shall be lawful and any speed to excess of said limits shall be unlawful:

1. Twenty-five miles per hour in any business district;
2. Thirty-five miles per hour in any residence district;
3. Fifty-five miles per hour under other conditions.

(c) Where no special hazard exists the following speeds for motor trucks and motor truck tractors shall be lawful but any speed in excess of said limitations shall be unlawful:

- (1) Twenty miles per hour in any business district;
2. Thirty miles per hour in any residence district;
3. Forty miles per hour under other conditions.

(d) The fact that the speed of a vehicle is lower than the foregoing limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(e) Whenever the Department shall determine upon the basis of an engineering and traffic investigation that any speed hereinbefore set forth is greater than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a highway, the Department shall determine and declare a reasonable

and safe speed limit thereat which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the highway.

(f) The foregoing provisions of this section shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence upon the part of the defendant as the proximate cause of an accident.

§ 3. Local Authorities May Alter Speed Limits:

Whenever local authorities within their respective jurisdiction determine upon the basis of an engineering and traffic investigation that the speed permitted under this Act at any intersection, except State Highways or streets used as such, is greater than is reasonable or safe under the conditions found to exist at such intersection, such authority shall determine and declare a reasonable and safe speed limit thereat, which shall be effective when appropriate signs giving notice thereof are erected at such intersections or upon the approach thereto;

§ 4. Minimum Speed.

No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law. Police officers are hereby authorized to enforce this provision by directions to drivers, and in the event of apparent wilful disobedience to this provision, and refusal to comply with direction of an officer in accordance herewith the continued slow operation by a driver shall be unlawful.

§ 5. When Speed Restrictions Not Applicable.

The speed limitations set forth in this Act shall not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof sound audible signal by bell, siren, or exhaust whistle capable of emitting sound audible under normal conditions from a distance of not less than 500 feet. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

§ 6. Drive on Right Side—Exceptions.

Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the laws governing such movement;

2. When the right half of a roadway is closed to traffic while under construction or repair;

3. Upon a roadway divided into three lanes for traffic under the rules applicable thereon;

4. Upon a roadway designated and sign posted for one way traffic.

§ 7. Passing in Opposite Directions.

Drivers of vehicles proceeding in opposite directions shall pass each other to the right and upon roadways having width for not more than one line of traffic in each direction each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

§ 8. Overtaking a Vehicle.

(a) The following shall govern the overtaking and passing of vehicles proceeding in the same direction:

1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

2. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(b) Overtaking a vehicle on the right is permitted under the following conditions:

1. The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

2. The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right on a roadway with unobstructed hard surface of sufficient width for four or more lines of moving traffic when such movement can be made in safety. No person shall drive off the hard surface or upon the shoulder of the roadway in overtaking or passing on the right.

§ 9. Limitations on Overtaking on the Left—Driving to Left Side of Roadway.

(a) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite

direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction.

(b) No vehicle shall be driven to the left side of the roadway under the following conditions:

1. When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed;

2. When approaching within 100 feet of any bridge, viaduct, or tunnel of a width of 18 feet or less, or when approaching within 100 feet of or traversing any intersection of State Highways or railroad grade crossing;

3. Where official signs are in place directing that traffic keep to the right.

§ 10. One-way Roadways and Rotary Traffic Islands.

(a) Upon a roadway designated and sign posted for one-way traffic a vehicle shall be driven only in the direction designated.

(b) A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

§ 11. Roadways Laned.

Whenever any roadway has been divided into three or more clearly marked lanes for traffic the following shall apply:

(a) A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(b) Upon a roadway which is divided into 3 lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign posted to give notice of such allocation.

(c) Official signs may be erected directing slow moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign.

§ 12. Following Too Closely.

(a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the highway.

(b) The driver of any motor truck or motor truck drawing another vehicle when traveling upon a roadway outside of a business or residence district shall not follow within 150 feet of another motor truck or motor truck drawing another vehicle, and the driver of any motor truck traveling in convoy of two or more such motor trucks shall not follow within 500 feet of any other motor truck in the said convoy. This requirement shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks.

§ 13. Turning at Intersections.

The driver of a vehicle intending to turn at an intersection shall do so as follows:

(a) Both the approach for a right turn and a right turn shall be made as close as practical to the right hand curb or edge of the roadway.

(b) Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

(c) Approach for a left turn from a two-way highway into a one-way highway shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a one-way highway into a two-way highway shall be made by passing to the right of the center line of the highway entered upon leaving the intersection

(d) Except State Highways or streets used as such, local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs.

§ 14. Turning—When Prohibited.

No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.

§ 15. Starting Parked Vehicle.

No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

§ 16. When Signal Required:

(a) No person shall turn a vehicle from a direct course upon a highway unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.

(b) A signal of intention to turn right or left shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.

(c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

§ 17. Signals by Hand and Arm or Signal Device.

The signals herein required shall be given either by means of the hand and arm or by a signal lamp or signal device of a type approved by the department, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle then said signals must be given by such a lamp or device.

§ 18. Methods of Giving Signals:

All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

1. Left turn.—Hand and arm extended horizontally.
2. Right turn.—Hand and arm extended upward or moved with a sweeping motion from the rear to the front.
3. Stop or decrease of speed.—Hand and arm extended downward.

§ 19. Approaching or Entering Intersection.

(a) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway.

(b) When two vehicles enter an intersection from different highways at the same time the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

(c) The foregoing are modified through highways and otherwise as hereinafter provided.

§ 20. Vehicle Turning Left at Intersection.

The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but such driver, having so yielded and having given a signal when and as required by this Act, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn.

§ 21. Entering a Stop Intersection.

(a) The driver of a vehicle shall stop as required by this Act at the entrance to a through highway and shall yield the right of way to other vehicles which have entered the intersection from such through highway or which are approaching so closely on such through highway as to constitute an immediate hazard, but the driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on said through highway shall yield the right-of-way to the vehicle so proceeding into or across the through highway.

(b) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through highway and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

§ 22. Entering from Private Road.

The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on said highway.

§ 23. Approach of Authorized Emergency Vehicles.

Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, exhaust, whistle, or bell, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise di-

rected by a police officer. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highways.

§ 24. Special Stops Required.

The State Highway Department may designate one highway at a highway intersection as the through highway through that intersection and may and shall place and erect stop signs on the other highways entering the intersection.

§ 25. Compulsory Reporting of Accidents.

The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of \$50.00 or more shall, where the accident occurs on or near a highway, within 24 hours after such accident, forward a written report of such accident to the State Highway Department. Where the Department shall deem the report insufficient, it may require the driver to make and forward supplemental reports and may also require witnesses of such accidents to render reports of said accidents to the Department. Whenever the driver of a vehicle is physically incapable of making a required accident report and there was, at the time of the accident, another occupant in the vehicle capable of making a report, such occupant shall make or cause to be made said report. The Department is hereby authorized to furnish upon request forms suitable for such reports. All required accident reports and supplements thereto and the contents thereof shall be for the confidential use of the Department and shall not be admissible in evidence for any purpose at any hearing or trial, civil or criminal, and no Court shall have the right to order or require the production of such accident reports and supplements thereto or the contents thereof for any purpose at any such hearing or trial, civil or criminal.

§ 26. Stopping, Standing, or Parking.

(a) Upon any highway outside of a business or residence district no person shall stop, park, or leave standing any vehicle whether attended or unattended, upon the paved or improved or main traveled part of the highway when it is practical to stop, park, or so leave such vehicle off such part of said highway, but in every event a clear and unobstructed width of at least 20 feet of such part of the highway opposite such standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle be available from a distance of 200 feet in each direction upon such highway. This provision shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled

portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

(b) Whenever any motor truck, trailer or semi-trailer and its lighting equipment are disabled during the period when lighted lamps are required on vehicles and such motor truck cannot immediately be removed from the main traveled portion of a highway outside of a business or residence district, the driver or other person in charge of such vehicle shall cause flares, lanterns, or other signals to be lighted and placed upon the highway, one at a distance of approximately 100 feet in advance of such vehicle, one at a distance of approximately 100 feet to the rear of the vehicle and the third upon the roadway side of the vehicle; provided, that if the vehicle is transporting flammables three red reflectors may be so placed in lieu of such other signals and no open burning flare shall be placed adjacent to any such vehicle transporting flammables. The flares, lanterns or other signals herein required shall be capable of producing warning lights visible from a distance of at least 500 feet and operative for a continuous period of at least eight hours without attendance.

(c) Every motor truck or other wrecker service motor vehicle while engaged in repairing or removing any wrecked, abandoned, or disabled motor vehicle, on any highway outside of a business or residence district shall place and cause to be displayed at all times signs not less than 3 feet square with letters not less than 8 inches in height of a stroke of not less than $\frac{3}{4}$ inch in width with the words "Stop—Wreck 200 feet ahead," the said signs to be placed on the highway 200 feet in advance and to the rear of such motor truck, or other wrecker service motor vehicle. When the signs herein required are used between the hours of one-half hour after sunset and one-half hour before sunrise, the said signs shall be illuminated by flares, lanterns, or otherwise, so as to be visible from a distance of at least 500 feet.

(d) Whenever any police officer finds a vehicle standing upon a highway in violation of this Act, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same to a position off the paved or improved or main traveled part of such highway.

(e) Whenever any police officer finds a vehicle unattended upon any highway bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized

to provide for the removal of such vehicle to the nearest garage or other place of safety.

§ 27. When Stopping, Standing or Parking Prohibited.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. On a crosswalk;
5. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
6. Within 50 feet of the nearest rail of a railroad crossing;
7. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
8. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
9. At any place where official signs prohibit stopping.

§ 28. Pedestrians.

Every person walking on or along any highway not provided with sidewalks shall walk on the left side of such highway, facing vehicles approaching from the opposite direction. All pedestrians shall be subject to traffic control signals at highway intersections. Every pedestrian crossing a highway, except where traffic control signals are provided, shall yield the right-of-way to all vehicles upon the highway. No person shall stand or walk on any highway for the purpose of soliciting a ride from the driver of any private vehicle.

§ 29. Reckless Homicide.

(a) When the death of any person ensues within one year as a proximate result of injury received by the driving of any vehicle in reckless disregard of the safety of others, the person so operating such vehicle shall be guilty of reckless homicide.

(b) The Department shall revoke for a period of five years the driver's license of any person convicted of reckless homicide.

(c) This section shall not affect, impair, or repeal Act No. 855, Acts of 1934, approved the 7th day of April 1934.

§ 30. Intoxicating Liquor or Narcotic Drugs.

(a) It is unlawful for any person who is an habitual user of narcotic drugs or any person who is under the influence of intoxicating liquor or narcotic drugs to drive any vehicle within this State.

(b) The Department shall suspend the driver's license of any person convicted under this section for a period of six months for the first conviction; a period of one year for the second conviction; and two years for the third and each subsequent conviction.

(c) The Department shall on or before the tenth day of each month release to the public the names and addresses of all persons convicted under this section during the preceeding month, and it is hereby authorized and directed that the person or persons, firms or corporations so publishing the names of such persons convicted under this section shall not be deemed guilty of libel in the courts of this State; and no person convicted under this section shall have right of action in the courts of the State for libel suits against any person, firm or corporations so publishing the name of said person convicted under this section.

§ 31. Reckless Driving.

Any person who drives any vehicle in such a manner as to indicate either a wilful or a wanton disregard for the safety of persons or property is guilty of reckless driving.

§ 32. Rules and Regulations.

The Department is hereby authorized and empowered to promulgate rules and regulations for the administration and enforcement of this Act and all such rules and regulations shall have the full force and effect of law.

§ 33. Violations—Penalties.

Any person violating any provision of Section 2 to 27, inclusive, of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than Five (\$5.00) Dollars nor more than One Hundred (\$100.00) Dollars, or imprisonment for not more than thirty (30) days. Any person violating the provisions of Section 28 of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than Two (\$2.00) Dollars nor more than One Hundred (\$100.00) Dollars, or imprisonment for not more than thirty (30) days. Any person convicted of reckless homicide under the provisions of Section 29 of this Act shall be punished by a fine of not less than One Thousand (\$1,000.00) Dollars nor more than Five Thousand (\$5,000.00) Dollars, or imprisonment for not more than five (5) years, or both. Any person violating any provision of Section 30 of this Act shall upon conviction be punished in accordance with the following:

(a) By a fine of not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars, or imprisonment for not less

than ten (10) days nor more than thirty (30) days, or both, for the first offense. (b) By a fine of not less than One Thousand (\$1,000.00) Dollars, or imprisonment for one (1) year, or both, for the second offense. (c) By a fine of not less than Two Thousand (\$2,000.00) Dollars, or imprisonment for three (3) years, or both, for the third offense. (d) By a fine of not less than Three Thousand (\$3,000.00) Dollars, or imprisonment for four (4) years, or both, for the fourth offense. Any person violating the provisions of Section 31 of this Act shall upon conviction be punished by a fine of not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars, or imprisonment for not more than thirty (30) days, or both.

§ 34. Invalidity.

If any section or provision of this Act shall be held invalid by a court of competent jurisdiction, such invalidity held shall not effect, impair or invalidate any remaining sections or provisions of this Act.

§ 35. Repeal.—All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency.

§ 36. Date effective.—This Act shall take effect immediately upon its approval by the Governor.

Approved the 16th day of April, 1937.

(304)

No. 176.

AN ACT to Amend Section (5369) of the Code of Laws of South Carolina, 1932, as Amended by Act No. 356 of the Acts of the General Assembly, 1933, Entitled "An Act to Amend Section (5369), Civil Code, Code of Laws of South Carolina, Vol. II, 1932, in Reference to the Appointment of School Trustees and Their Powers" Approved May 16, 1933, so as to Provide for the Re-employment of Teachers in the Various Schools of This State Unless They are Notified to the Contrary.

Section 1. § 5369, 1932 Code, amended—school teachers re-employed unless notified to contrary—time notify—acceptance—Bamberg County inserted in last proviso.—Be it enacted by the General Assembly of the State of South Carolina: That Section (5369), Code of Laws of South Carolina, 1932, as amended by Act

No. 356 of the Acts of the General Assembly, 1933, entitled "An Act to amend Section (5369), Civil Code, Code of Laws of South Carolina, Vol. II, 1932, in reference to the appointment of School Trustees and their powers" approved May 16, 1933, be, and the same is hereby, amended by inserting immediately before the first proviso of said amended Section the following: "Provided that in the event the Trustees of any School District in this State shall fail to notify any teacher, holding valid teacher's certificate, in their respective school in writing on or before June 1, or, in case on such date the school has not completed its State aid term and the number of teachers for which it qualifies is uncertain, then on or before the tenth day after the close of the State aid term, of each year to the effect that such teacher will not be re-employed for the next ensuing year, such failure to so notify such teacher shall be construed to be and shall be an Act of re-employment of such school teacher for the next ensuing school year upon the same terms and conditions of such teacher's employment at the time of the failure to give such notice, in like manner as if a contract had been entered into between such school teacher and the Trustees of such School District for such re-employment; Provided, that such failure to so notify such teacher shall not be binding and shall not be considered re-employment of such teacher unless such teacher shall, on or before the fourteenth day after the expiration of the time above provided for the giving of such notice by the trustees, notify the trustees of the school, or the chairman of such Board of Trustees, of his or her acceptance of such re-employment;" and by adding at the end of said Section (5369) as amended as aforesaid the following: "and Bamberg County, except, however, the first proviso in this Act relative to the notification of re-employment of teachers shall be applicable to said Counties", so that said Section (5369) as amended as aforesaid when so amended shall read as follows:

"Section (5369). Unless it be now specially provided otherwise by law for any particular school district or county, the Boards of School Trustees in this State shall be composed of three (3) members, each of whom when appointed, pursuant to the terms of this Act, shall hold office for a term of three (3) years. The County Boards of Education of this State shall, within thirty (30) days after the approval of this Act, appoint one (1) trustee from the qualified electors and the taxpayers residing in the district for which the appointment is made, for each school district to succeed the trustees whose term expires during 1933 to serve with the holdover

members, and until their successors have been appointed and qualified; and shall, during the first week of April in each year thereafter make a like appointment of a trustee for each district who shall hold in like manner until their successors have been appointed and qualified. Trustees shall be subject to removal from office for cause by the County Boards of Education upon notice, and after being given the opportunity to be heard by the County Board of Education. Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal within ten (10) days after service of such order upon him to the State Board of Education. Vacancies occurring in the membership of any Board of Trustees for any cause shall be filled for the unexpired term by the County Board of Education in the same manner as provided for full term appointments. The trustees shall as soon as practicable after the appointment of any new trustees organize by the election of one of their members as chairman and another as clerk of the board. The Chairman shall preside at meetings of the board and perform other duties imposed on him under the law, and the clerk shall keep a record of the proceedings of all meetings in a book provided for that purpose, and perform all other duties required of him by law. All meetings shall be at the most convenient and practicable place in the district. No teacher or other employee shall be employed or any purchase made except in a duly called meeting of the board, of which each member has been notified by the clerk of the board of the time, place and purpose thereof at least three (3) days in advance in writing of such meeting, or unless a written waiver of such notice of meeting is signed by each member of the Board of Trustees and unless such action or the memoranda of the terms of any such contract of employment or purchase shall be duly recorded in the minutes of such meeting and approved by the board. No contract shall be entered into with teachers before April 15 of each year; Provided that in the event the Trustees of any School District in this State shall fail to notify any teacher, holding valid teacher's certificate, in their respective school in writing on or before June 1, or, in case on such date the school has not completed its State aid term and the number of teachers for which it qualifies is uncertain, then on or before the tenth day after the close of the State aid term, of each year to the effect that such teacher will not be re-employed for the next ensuing year, such failure to so notify such teacher shall be construed to be and shall be an Act of re-employment

of such school teacher for the next ensuing school year upon the same terms and conditions of such teacher's employment at the time of the failure to give such notice, in like manner as if a contract had been entered into between such school teacher and the trustees of such School District for such re-employment; Provided, That such failure to so notify such teacher shall not be binding and shall not be considered re-employment of such teacher unless such teacher shall, on or before the first day of June of each year notify in writing the trustees of the school or the Chairman of the Board of Trustees of his or her office of acceptance of such re-employment. Provided, That the provisions of this Act shall neither repeal, supersede, nor annul any special Act providing for the appointment, or election of school trustees in any school district, or in any of the several counties of the State. Provided, however, That in Chester County the Trustees for each school district, except special or graded school districts exempted herein, shall all be appointed at once upon the approval of this Act. One of whom shall serve for one year; one of whom shall serve for two years, and one of whom shall serve for three years, the term of each to be designated by the County Board of Education; and the successors shall thereafter be appointed for three years each, and that the terms of office of all trustees who now hold said office shall be and hereby are terminated, ended and declared expired as of April 1st, 1933. Provided, further, That the provisions of this Act shall not apply to Georgetown County and Bamberg County, except, however, the first proviso in this Act relative to the notification of re-employment of teachers shall be applicable to said Counties."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

AN ACT to Provide for the Forfeiture and Disposition of Any Fishing Tackle, Nets, Seines, or Other Property Used in the Catching of Fish Seized During the Closed Season for Fishing in Horry County, and to Authorize Officers Charged with Enforcing the Game Laws to Make Reasonable Searches

**Therefor When Suspected to be in Possession of a Person
Not on His Own Premises.**

Section 1. Forfeit property used catch fish during closed season when seized, Horry County—sell.—Be it enacted by the General Assembly of the State of South Carolina: Any fishing tackle, nets, seines, hooks or any other property used for the catching of fish found in the possession of any one during the closed season in Horry County, while any such person is in the vicinity of any stream, shall be forfeited and the Game Warden is authorized, empowered and directed to sell the property so seized and place the funds derived therefrom in the State Game Department.

§ 2. Search for and seize such property, Horry County.—Power and authority during the closed season for fishing are hereby conferred upon the Game Warden of Horry County, and his deputies, or other official person charged with the duties of enforcing the Game Laws of the State, to seize any fishing tackle, nets, seines, hooks, or other device ordinarily used for catching fish, while in the possession of any person, when he is not on his own premises, or premises of which he is rightfully in charge, and such officers are further empowered, upon being reasonably satisfied that any such person has concealed about his person, in his automobile, or other vehicle, any such property, to make search therefor, and any person found to so possess any such property during any such closed season, shall be presumed to have recently been using the same in violation of the fishing laws of the State and at the nearest stream to the place at which such property was found.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(307)

No. 178.

**AN ACT to Prohibit the Return of Tax Executions “Nulla Bona”,
Without the Approval of the Local Board of Tax Assessors
in Aiken County.**

**Section 1. Return and marking of tax executions “nulla bona”,
Aiken County.**—Be it enacted by the General Assembly of the State of South Carolina: No Tax Executions heretofore, or hereafter,

issued in Aiken County Shall be returned and marked "Nulla Bona", unless such "Nulla Bona" has been approved or so ordered by the local board of tax assessors of the district in which the property assessed is situate.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(335)

No. 179.

AN ACT to Amend Section 5474, Code of Laws of South Carolina, 1932, so as to Provide for the Letting and Renewing of Contracts Without Advertising for Bids, Contracts for the Transportation of Pupils in the Public Schools in Georgetown County.

Section 1. § 5474, 1932 Code, amended—letting of contracts transport children, Georgetown County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5474, Code of Laws of South Carolina, 1932, as amended, be, and the same is, hereby amended by adding at the end of said section the following:

Provided, that the County Board of Education of said County is authorized and empowered, in its discretion, taking into consideration the safety of the pupils and the efficiency of the service, to renew or let, from year to year without advertisement for bids, contracts for the transportation of pupils in the public schools of Georgetown County.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(336)

No. 180.

AN ACT to Provide that the Trustees of Ellenton School District No. 53 of Barnwell County with the Superintendent of Education, Shall Make Up an Estimate of the Expenses of Said District and to Provide for the Raising of Money Therefor and the Expenditure Thereof.

Section 1. Estimate expenses of Ellenton School District No. 53, Barnwell County, annually—payment.—Be it enacted by the General Assembly of the State of South Carolina: That on or before the first day of June of each year the two members of the Board of Trustees of Ellenton School District No. 53 for Barnwell County and Superintendent of Education for Barnwell County, shall furnish the Auditor and Treasurer of Barnwell County with a budget or estimate of costs of operating and maintaining the school in said school district during the next ensuing year, whereupon, it shall become the duty of the Auditor and Treasurer of Barnwell County to levy and collect a uniform tax upon all of the real and personal property in said School District sufficient to maintain and operate said school. . The funds so collected shall be placed to the credit of said school district and shall be expended by the said two Trustees, as now provided by law; *Provided*, that the levy so made in Ellenton School District number 53 shall not exceed nor be less than the amount levied by Ellenton School District No. 16 of Aiken County: *Provided, Further*, that the levy so made shall not exceed a total of eighteen (18) mills for all purposes.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upin its approval by the Governor.

Approved the 17th day of April, 1937.

(310)

No. 181.

AN ACT Providing that Carnivals and Traveling Shows Exhibiting Under Tents Shall be Allowed Licenses and/or Allowed to Exhibit in the City of Union and/or in the County of Union During the Time that Any Celebration, Fairs or Amusements are Held in Said City and/or County Under the Sponsorship of the American Legion.

Section 1. Exhibiting of carnivals and traveling tent shows, Union County.—Be it enacted by the General Assembly of the State of South Carolina: That carnivals and traveling shows, exhibiting under tents, shall be allowed licenses and/or allowed to exhibit in the city of Union and/or in the County of Union during the time that any celebration, fairs or amusements are held in said city and/or county, under the sponsorship of the American Legion.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(311)

No. 182.

AN ACT to Declare the Necessity of Creating Governmental Subdivisions of the State, to be Known as "Soil Conservation Districts", to Engage in Conserving Soil Resources and Preventing and Controlling Soil Erosion; to Establish the State Soil Conservation Committee, and to Define Its Powers and Duties; to Provide for the Creation of Soil Conservation Districts; to Define the Powers and Duties of Soil Conservation Districts, and to Provide for the Exercise of Such Powers, Including the Power to Acquire Property by Purchase, Gift, and Otherwise; to Empower Such Districts to Adopt Programs and Regulations for the Discontinuance of Land-Use Practices Contributing to Soil Wastage and Soil Erosion, and the Adoption and Carrying Out of Soil-Conserving Land-Use Practices, and to Provide for the Enforcement of Such Programs and Regulations; to Provide for Establishing Boards of Adjustment in Connection with Land-Use Regulations, and to Define Their Functions and Powers; to Provide for Discontinuance of Such Soil Conservation Districts, and for Other Purposes.

Section 1. Short title.—Be it enacted by the General Assembly of the State of South Carolina: This Act may be known and cited as the Soil Conservation Districts Law.

§ 2. **Legislative declaration.**—It is hereby declared, as a matter of legislative determination:

A. That the farm lands of the State of South Carolina are among the basic assets of the State and that the preservation of these lands

is necessary to protect and promote the health, safety and general welfare of its people; that improper land-use practices have caused and have contributed to, and are now causing and contributing to a progressively more serious erosion of farm lands of this State by wind and water; that the breaking of natural grass, plant and forest cover has interfered with the natural factors of soil stabilization, causing loosening of soil and exhaustion of humus, and developing a soil condition that favors erosion; that the top soil is being washed and blown out of fields and pastures; that there has been an accelerated washing of sloping fields; that these processes of erosion by wind and water speed up with the removal of absorptive topsoil, causing exposure of less absorptive and less protective but more erodible subsoil; that failure by any land owner or occupier to conserve the soil and control erosion upon his lands causes a washing of soil and water from his lands onto other lands and makes the conservation of soil and control of erosion on such other lands difficult and impossible.

B. That the consequences of such soil erosion in the form of soil-washing and soil-blowing are the silting and sedimentation of stream channels, reservoirs, dams, ditches, and harbors; the loss of fertile soil and material in dust storms; the piling up of soil on the lower slopes, and its deposit over alluvial plains; the reduction in productivity or outright ruin of rich bottom lands by over-wash of poor subsoil material, sand, and gravel swept out of the hills; deterioration of soil and its fertility, deterioration of crops grown thereon, and declining acre yields despite development of scientific processes for increasing such yields; loss of soil and water which causes destruction of food and cover for wildlife; a blowing and washing of soil into streams which silts over spawning beds and destroys water plants, diminishing the food supply of fish; a diminishing of the underground water reserve, which causes water shortages, intensifies periods of drought, and causes crop failures; and increase in the speed and volume of rainfall run-off, causing severe and increasing floods, which bring suffering, disease and death; impoverishment of families attempting to farm erodine and eroded lands, damage to roads, highways, railways, farm buildings, and other property from floods and from severe dust storms; and losses in navigation, hydro-electric power, municipal water supply, drainage developments, farming and grazing.

C. That to conserve soil resources and control or prevent soil erosion, it is necessary that land-use practices contributing to soil

wastage and soil erosion be discouraged and discontinued, and appropriate soil-conserving land-use practices be adopted and carried out; that among the procedures necessary for widespread adoption, are the carrying on of engineering operations, such as the construction of terraces, terrace outlets, chock dams, dikes, ponds, ditches, and the like; the utilization of strip cropping, lister furrowing, contour cultivating and contour furrowing; land drainage, seeding and planting of waste, sloping abandoned, or eroded lands to water conserving and erosion preventing plants, trees; and grasses; forestation and reforestation; rotation of crops; soil stablization with trees, grasses, legumes and other thick growing, soil-holding crops; the addition of soil amendmments, manural materials, and fertilizers for the correction of soil deficiencies or for the promotion of increased growth of soil protecting crops; retardation of run-off by increasing absorption of rainfall; and retirement from cultivation of steep, highly erodible areas and areas now badly gullied or otherwise eroded.

D. It is hereby declared to be the policy of the legislature to provide for the conservation of the soil and soil resources of this State, and for the control and prevention of soil erosion, and thereby to preserve natural resources, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wildlife, protect the tax base, protect public lands, and protect and promote the health, safety, and general welfare of the people of this State.

§ 3. Definitions.—Wherever used or referred to in this Act, unless a different meaning clearly appears from the context:

(1) "District" or "soil conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this Act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Supervisor" means one of the members of the governing body of a district elected or appointed in accordance with the provisions of this Act.

(3) "Committee" or "State soil conservation committee" means the agency created in Section 4 of this Act.

(4) "Petition" means a petition filed under the provisions of subsection A of Section 5 of this Act for the creation of a district.

(5) "Nominating petition" means a petition filed under the provisions of Section 6 of this Act to nominate candidates for the office of supervisor of a soil conservation district.

(6) "State" means the State of South Carolina.

(7) "Agency of this State" includes the government of this State and any subdivision, agency, or instrumentality, corporate or otherwise, of the government of this State.

(8) "United States" or "agencies of the United States" includes the United States of America, the Soil Conservation Service of the United States Department of Agriculture, and other agency or instrumentality, corporate or otherwise, of the United States of America.

(9) "Government" or "Governmental" includes the government of this State, the Government of the United States, and any subdivision, agency, or instrumentality, corporate or otherwise, of either of them.

(10) "Land owner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a district organized under the provisions of this Act.

(11) "Land occupier" or "occupier of land" includes any person, firm, or corporation, other than the owner, who shall be in possession of any lands lying within a district organized under the provisions of this Act, whether as lessee, rentor, tenant, or otherwise.

(12) "Qualified elector" includes any person qualified to vote in elections by the people under the constitution of this State.

(13) "Due Notice" means notice published at least twice, with an interval of at least seven days between the two publication dates, in a newspaper or other publication of general circulation within the appropriate area, or if no such publication of general circulation be available, by posting at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it may be customary to post notices concerning county or municipal affairs generally. At any hearing pursuant to such notice, at the time and place designated in such notice, adjournment may be made from time to time without the necessity of renewing such notices for such adjourned dates.

§ 4. State soil conservation committee—personnel—employees—duties and powers.—A. There is hereby established, to serve as an agency of the State and to perform the functions conferred upon it in this Act, the State Soil Conservation Committee. The following

shall serve, *ex officiis*, as members of the Committee: The director of the State Agricultural Extension Service and the director of the South Carolina Agricultural Experiment Station. The Committee shall invite the Secretary of Agriculture of the United States of America to name in addition one person to serve with the above mentioned members as a member of the Committee. The Committee shall keep a record of its official activities, shall adopt a seal, which seal shall be judicially noticed, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this Act.

B. The State Soil Conservation Committee may employ an administrative officer and such technical experts and such other agents and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation. The Committee may call upon the Attorney General of the State for such legal services as it may require, or may employ its own counsel and legal staff. It shall have authority to delegate to one or more of its members, or to one or more agents or employees, such powers and duties as it may deem proper, and the Committee is authorized to furnish information as well as call upon any or all state or local agencies for cooperation in carrying out the provisions of this Act.

C. The Committee shall designate one of its members as chairman, and may, from time to time, change such designation. The two *ex-officio* members of the Committee shall hold office as long as they shall retain their respective offices by virtue of which they shall be serving on the Committee. The third member of the Committee shall serve at the pleasure of the Secretary of Agriculture of the United States of America. A majority of the Committee shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination. The members of the Committee shall receive no compensation for their services on the Committee, but shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties on the Committee. The Committee shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of the accounts of receipts and disbursements.

D. In addition to the duties and powers hereinafter conferred upon the State Soil Conservation Committee, it shall have the following duties and powers:

(1) To offer such assistance as may be appropriate to the supervisors of soil conservation districts, organized as provided hereinafter, in the carrying out of any of their powers and programs.

(2) To keep the supervisors of each of the several districts organized under the provisions of this Act informed of the activities and experience of all other districts organized hereunder, and to facilitate an interchange of advice and experience between such districts and cooperation between them.

(3) To coordinate the programs of the several soil conservation districts organized hereunder so far as this may be done by advice and consultation.

(4) To secure the cooperation and assistance of the United States and any of its agencies, and of agencies and counties of this State, in the work of such districts.

(5) To disseminate information throughout the State concerning the activities and programs of the Soil Conservation Districts organized hereunder, and to encourage the formation of such districts in areas where their organization is desirable.

§ 5. Create soil conservation districts—procedure—appoint two supervisors for each—enlarge—name—proof of creation in actions.—A. Any twenty-five (25) owners of land lying within the limits of the territory proposed to be organized into a district may file a petition with the State Soil Conservation Committee asking that a Soil Conservation District be organized to function in the territory described in the petition. Such petition shall set forth:

(1) The proposed name of said district;

(2) That there is need, in the interest of the public health, safety, and welfare, for a Soil Conservation District to function in the territory described in the petition;

(3) A description of the territory proposed to be organized as a district, which description shall not be required to be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate;

(4) A request that the State Soil Conservation Committee duly define the boundaries for such district; that a referendum be held within the territory so defined on the question of the creation of a

Soil Conservation District in such territory; and that the Committee determine that such a district be created.

Where more than one petition is filed covering parts of the same territory the State Soil Conservation Committee may consolidate all or any petitions.

B. Within thirty (30) days after such a petition has been filed with the State Soil Conservation Committee, it shall cause due notice to be given of a proposed hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of such district, upon the question of the appropriate boundaries to be assigned to such district, upon the propriety of the petition and other proceedings, taken under this Act, and upon all questions relevant to such inquiries. All owners and occupiers of land within the limits of the territory described in the petition, and of the lands within the limits of the territory considered for addition to such described territory, and all other interested parties, shall have the right to attend such hearings and to be heard. If it shall appear upon the hearing that it may be desirable to include within the proposed district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of further hearing shall be given throughout the entire area considered for inclusion in the district, and such further hearings held. After such hearing, if the committee shall determine, upon the facts presented at such hearing and upon such other relevant facts and information as may be available, that there is need, in the interest of the public health, safety, and welfare, for a Soil Conservation District to function in the territory considered at the hearing, it shall make and record such determination, and shall define, by metes and bounds or by legal subdivisions, the boundaries of such district. In making such determination and in defining such boundaries, the Committee shall give due weight and consideration to the topography of the area considered and of the State, the composition of soils therein, the distribution of erosion, the prevailing land-use practices, the desirability and necessity of including within the boundaries the particular lands under consideration, and the benefits such lands may receive from being included within such boundaries, the relation of the proposed area to existing watersheds and agricultural regions, and to other soil conservation districts already organized or proposed for organization under the provisions of this Act, and such other physical geographical, and economic factors as are relevant,

having due regard to the legislative determinations set forth in Section 2 of this Act. The territory to be included within such boundaries need not be contiguous. If the Committee shall determine after such hearing, after due consideration of the said relevant facts, that there is no need for a Soil Conservation District to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition. After six months shall have expired from the date of the denial of any such petition, subsequent petitions covering the same or substantially the same territory may be filed as aforesaid and new hearings held and determinations made thereon.

C. After the Committee has made and recorded a determination that there is need, in the interest of the public health, safety, and welfare, for the organization of a district in a particular territory and has defined the boundaries thereof, it shall consider the question whether the operation of a district within such boundaries with the powers conferred upon Soil Conservation Districts in this Act is administratively practicable and feasible. To assist the Committee in the determination of such administrative practicability and feasibility, it shall be the duty of the Committee, within a reasonable time after entry of the finding that there is need for the organization of the proposed district and the determination of the boundaries thereof, to hold a referendum within the proposed district upon the proposition of the creation of the district, and to cause due notice of such referendum to be given. The question shall be submitted by ballots upon which the words "For creation of a Soil Conservation District of the lands below described and lying in the county (ies) of and....." and "Against creation of a Soil Conservation District of the lands below described and lying in the county (ies) of..... and....." shall appear with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or oppose creation of such district. The ballot shall set forth the boundaries of such proposed district as determined by the Committee. All owners of lands lying within the boundaries of the territory, as determined by the State Soil Conservation Committee, shall be eligible to vote in such referendum. Only such land owners shall be eligible to vote.

D. The Committee shall pay all expenses for the issuance of such notices and the conduct of such hearings and referenda, and shall supervise the conduct of such hearings and referenda. It shall issue ap-

propriate regulations governing the conduct of such hearings and referenda, and providing for the registration prior to the date of the referendum of all eligible voters, or prescribing some other appropriate procedure for the determination of those eligible as voters in such referendum. No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted.

E. The Committee shall publish the result of such referendum and shall thereafter consider and determine whether the operation of the district within the defined boundaries is administratively practicable and feasible. If the Committee shall determine that the operation of such district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the Committee shall determine that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district in the manner herein-after provided. In making such determination the Committee shall give due regard and weight to the attitudes of the owners and occupiers of lands lying within the defined boundaries, the number of land owners eligible to vote in such referendum who shall have voted, the proportion of the votes cast in such referendum in favor of the creation of the district to the total number of votes cast, the approximate wealth and income of the land owners and occupiers of the proposed district, and probable expense of carrying on erosion-control operations within such district, and such other economic and social factors as may be relevant to such determination, having due regard to the legislative determinations set forth in Section 2 of this Act; *Provided, However,* That the Committee shall not have authority to determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of creation of the district shall have been cast in favor of the creation of such district.

F. If the Committee shall determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible, it shall appoint two (2) Supervisors to act, with the three (3) Supervisors elected as provided hereinafter, as the governing body of the district. Such district shall be a governmental

subdivision of this state and a public body corporate and politic, upon the taking of the following proceedings:

The two appointed Supervisors shall present to the Secretary of State an application signed by them, which shall set forth (and such application need contain no detail other than the mere recitals): (1) that a petition for the creation of the district was filed with the State Soil Conservation Committee pursuant to the provisions of this Act, and that the proceedings specified in this Act were taken pursuant to such petition; that the application is being filed in order to complete the organization of the district under this Act; and that the committee has appointed them as Supervisors; (2) the name and official residence of each of the Supervisors, together with a certified copy of the appointments evidencing their right to office; (3) the term of office of each of the Supervisors; (4) the name which is proposed for the district; and (5) the location of the principal office of the Supervisors of the district. The application shall be subscribed and sworn to by each of the said Supervisors before an officer authorized by the laws of this State to take and certify oaths, who shall certify upon the application that he personally knows the Supervisors and knows them to be the officers as affirmed in the application, and that each has subscribed thereto in the officer's presence. The application shall be accompanied by a statement by the State Soil Conservation Committee, which shall certify (and such statement need contain no detail other than the mere recitals) that a petition was filed, notice issued, and hearing held as aforesaid; that the committee did duly determine that there is need, in the interest of the public health, safety, and welfare, for a Soil Conservation District to function in the proposed territory and did define the boundaries thereof; that notice was given and a referendum held on the question of the creation of such district, and that the result of such referendum showed a majority of the votes cast in such referendum to be in favor of the creation of the district; that thereafter the committee did duly determine that the operation of the proposed district is administratively practicable and feasible. The said statement shall set forth the boundaries of the district as they may have been defined by the committee.

The Secretary of State shall examine the application and statement and, if he finds that the name proposed for the district is not identical with that of any other Soil Conservation District of this State or so nearly similar as to lead to confusion or uncertainty, he

shall receive and file them and shall record them in an appropriate book of record in his office. If the Secretary of State shall find that the name proposed for the district is identical with that of any other Soil Conservation District of this State, or so nearly similar as to lead to confusion and uncertainty, he shall certify such fact to the State Soil Conservation Committee, which shall thereupon submit to the Secretary of State a new name for the said district, which shall not be subject to such defects. Upon receipt of such new name, free of such defects, the Secretary of State shall record the application and statement, with the name so modified, in an appropriate book of record in his office. When the application and statement have been made, filed, and recorded, as herein provided, the district shall constitute a governmental subdivision of this State and a public body corporate and politic. The Secretary of State shall make and issue to the said Supervisors a certificate, under the seal of the State, of the due organization of the said district, and shall record such certificate with the application and statement. The boundaries of such district shall include the territory as determined by the State Soil Conservation Committee as aforesaid, but in no event shall they include any area included within the boundaries of another soil conservation district organized under the provisions of this Act.

G. After six (6) months shall have expired from the date of entry of a determination by the state soil conservation committee that the operation of a proposed district is not administratively practicable and feasible, and denial of a petition pursuant to such determination, subsequent petitions may be filed as aforesaid, and action taken thereon in accordance with the provisions of this Act.

H. Petitions for including additional territory within an existing district may be filed with the State soil conservation committee, and the proceedings herein provided for in the case of petitions to organize a district shall be observed in the case of petitions for such inclusion. The Committee shall prescribe the form for such petition, which shall be as nearly as may be in the form prescribed in this Act for petitions to organize a district. Where the total number of land owners in the area proposed for inclusion shall be less than 25, the petition may be filed when signed by a majority of the land owners of such area, and in such case no referendum need be held. In referenda upon petitions for such inclusion, all owners of land lying within the proposed additional area shall be eligible to vote.

I. In any suit, action or proceeding involving the validity or enforcement of, or relating to, any contract, proceeding, or action of the district, the district shall be deemed to have been established in accordance with the provisions of this Act upon proof of the issuance of the aforesaid certificate by the secretary of state. A copy of such certificate duly certified by the secretary of state shall be admissible in evidence in any such suit, action, or proceeding and shall be proof of the filing and contents thereof.

§ 6. Elect three supervisors.—Within thirty (30) days after the date of issuance by the Secretary of State of a certificate of organization of a soil conservation district, nominating petitions may be filed with the State soil conservation committee to nominate candidates for supervisors of such district. The committee shall have authority to extend the time within which nominating petitions may be filed. No such nominating petition shall be accepted by the committee unless it shall be subscribed by twenty-five (25) or more qualified electors of such district. Qualified electors may sign more than one such nominating petition to nominate more than one candidate for supervisor. The committee shall give due notice of an election to be held for the election of three supervisors for the district. The names of all nominees on behalf of whom such nominating petitions have been filed within the time herein designated, shall appear, arranged in the alphabetical order of the surnames, upon ballots, with a square before each name and direction to insert an X mark in the square before three names to indicate the voter's preference. All qualified electors residing within the district shall be eligible to vote in such election. The three candidates who shall receive the largest number, respective, of the votes cast in such election shall be the elected supervisors for such district. The committee shall pay all the expenses of such election, shall supervise the conduct thereof, shall prescribe regulations governing the conduct of such election and the determination of the eligibility of voters therein, and shall publish the results thereof.

§ 7. Supervisors—qualifications—term—vacancy—duties and powers.—The governing body of the district shall consist of five (5) supervisors, elected or appointed as provided hereinabove. The two supervisors appointed by the committee shall be persons who are by training and experience qualified to perform the specialized skilled services which will be required of them in the performance of their duties hereunder.

The supervisors shall designate a chairman and may, from time to time, change such designation. The term of office of each supervisor shall be three (3) years, except that the supervisors who are first appointed shall be designated to serve for terms of 1 and 2 years respectively, from the date of their appointment. A supervisor shall hold office until his successor has been elected or appointed and has qualified. Vacancies shall be filled for the unexpired term. The selection of successors to fill an unexpired term, or for a full term, shall be made in the same manner in which the retiring supervisors shall, respectively, have been selected; *Provided, However*, that in the case of a successor to fill the unexpired term of an elected supervisor such successor may be appointed by the state committee upon the unanimous recommendation of the remaining supervisors. A majority of the supervisors shall constitute a quorum and the concurrence of a majority of the supervisors in any manner within their duties shall be required for its determination. A supervisor shall receive no compensation for his services, but he shall be entitled to expenses, including travel expenses, necessarily incurred in the discharge of his duties.

The supervisors may utilize the services of the county agricultural agents and the facilities of the county agricultural agent's offices insofar as practicable and feasible and may employ such additional employees and agents, permanent and temporary, as they may require, and shall determine their qualifications, duties, and compensation. The supervisors may delegate to their chairman, to one or more agents, or employees such powers and duties as they may deem proper. The supervisors shall furnish to the State soil conservation committee, upon request, copies of such ordinances, rules, regulations, orders contracts, forms and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this Act. The supervisors may call upon the attorney general of the State for such legal services as they may require, or may employ their own counsel and legal staff.

The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of the accounts of receipts and disbursements. Any supervisor may be re-

moved by the State soil conservation committee upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason.

The supervisor may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy which may affect the property, water supply, or other interests of such municipality or county.

§ 8. Additional powers of districts and supervisors.—A soil conservation district organized under the provisions of this Act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this Act:

(1) To conduct surveys, investigations, and research relating to the character of soil erosion and the preventive and control measures needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures; *Provided, However*, that in order to avoid duplication of research activities, no district shall initiate any research program except in cooperation with the Government of this State or any of its agencies, or with the United States or any of its agencies:

(2) To conduct demonstrational projects within the district on lands owned or controlled by this State or any of its agencies with the cooperation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the owner and occupiers of such lands or the necessary rights or interests in such lands, in order to demonstrate by example the means, methods, and measures by which soil and soil resources may be conserved, and soil erosion in the form of soil blowing and soil washing may be prevented and controlled; *Provided, However*, that in order to avoid duplication of demonstrational activities, no district shall initiate any demonstrational program except in cooperation with the government of this State or its agencies, or with the United States or its agencies;

(3) To carry out preventive and control measures within the district including, but not limited to, engineering operation, methods of cultivation, the growing of vegetation, changes in use of land, and

the measures listed in subsection C of Section 2 of this Act on lands owned or controlled by this State or any of its agencies, with the cooperation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the owner and the occupiers of such lands or the necessary rights or interests in such lands;

(4) To cooperate, or enter into agreements with, and within the limits of appropriations duly made available to it by law, to furnish financial or other aid to any agency, governmental or otherwise, or to any owner or occupier of lands within the district, in the carrying on of erosion control or prevention operations within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this Act;

(5) To obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, any property, real or personal, or rights or interests therein; to maintain, administer, and improve any properties acquired, to receive income from such properties and to expend such income in carrying out the purposes and provisions of this Act; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this Act;

(6) To make available, on such terms as it shall prescribe, to land owners and occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds and seedlings, and such other material or equipment, as will assist such land owners and occupiers to carry on operations upon their lands for the conservation of soil resources and for the prevention of control of soil erosion;

(7) To construct, improve, and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this Act;

(8) To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion within the district, which plans shall specify in such detail as may be possible, the acts, procedures, performances, and avoidances which are necessary or desirable for the effectuation of such plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in use of land; and to publish such plans and information and bring them to the attention of owners and occupiers of lands within the district;

(9) To take over, by purchase, lease, or otherwise, and to administer, any soil-conservation, erosion-control, or erosion-prevention project located within its boundaries undertaken by the United States or any of its agencies, or by this State or any of its agencies; to manage, as agent of the United States or any of its agencies, or of the State or any of its agencies, any soil-conservation, erosion-control, or erosion-prevention project within its boundaries; to act as agent for the United States, or any of its agencies, or for this State or any of its agencies, in connection with the acquisition, construction, operation or administration of any soil-conservation, erosion-control, or erosion-prevention project within its boundaries; to accept donations, gifts and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this State or any of its agencies, or from others, and to use or expend such moneys, services, materials or other contributions in carrying on its operations;

(10) To sue and be sued in the name of the district; to have a seal, which seal shall be judicially noticed; to have perpetual succession unless terminated as hereinafter provided; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers; to make, amend and repeal, rules and regulations not inconsistent with this Act, to carry into effect its purposes and powers;

(11) As a condition to the extending of any benefits under this Act to, or the performance of work upon, any lands not owned or controlled by this State or any of its agencies, the supervisors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require land owners and occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon;

(12) No provisions with respect to the acquisition, operation or disposition of property by other public bodies of this State shall be applicable to a district organized hereunder unless the legislature shall specifically so state. The property and property rights of every kind and nature acquired by any district organized under the provisions of this Act shall be exempt from State, country and other taxation.

§ 9. Regulations governing use of lands in districts to conserve soil and soil resources—adopt—amend, supplement or re-

peal.—The supervisors of any district shall have authority to formulate regulations governing the use of lands within the district in the interest of conserving soil and soil resources, and preventing and controlling soil erosion. The supervisors may conduct such public meetings and public hearings upon tentative regulations as may be necessary to assist them in this work. The supervisors shall not have authority to enact such land-use regulations into law until after they shall have caused due notice to be given of their intention to conduct a referendum for submission of such regulations to the owners of lands lying within the boundaries of the district, for their indication of approval or disapproval of such proposed regulations, and until after the supervisors have considered the result of such referendum. The proposed regulations shall be embodied in a proposed ordinance. Copies of such proposed ordinance shall be available for the inspection of all eligible voters during the period between publication of such notice and the date of the referendum. The notice of the referendum shall recite the contents of such proposed ordinance, or shall state where copies of such proposed ordinance may be examined. The question shall be submitted by ballots, upon which the words, "For approval of proposed ordinance no. — prescribing land-use regulations for conservation of soil and prevention of erosion" and "Against approval of proposed ordinance no. — prescribing land-use regulations for conservation of soil and prevention of erosion" shall appear, with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or appose approval of such proposed ordinance. The supervisors shall supervise such referendum, shall prescribe appropriate regulations governing the conduct thereof, and shall publish the result thereof. All owners of lands within the district shall be eligible to vote in such referendum. Only such land owners shall be eligible to vote. No informalities in the conduct of such referendum or in any matter relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted.

The supervisors shall not have authority to enact such proposed ordinance into law unless at least two-thirds of such votes cast in such referendum shall have been cast for approval of the said proposed ordinance. The approval of the proposed ordinance by two-thirds of the votes cast in such referendum shall not be deemed to require the supervisors to enact such proposed ordinance into

law. Land-use regulations prescribed in ordinances enacted pursuant to the provisions of this section by the supervisors of any district shall have the force and effect of law in said district and shall be binding and obligatory upon all owners and occupiers of land within such districts.

Any owner or occupier of land within such district may at any time file a petition with the supervisors asking that any or all of the land-use regulations prescribed in any ordinance adopted by the supervisors under the provisions of this section shall be amended, supplemented, or repealed. Land-use regulations adopted pursuant to the provisions of this section shall not be amended, supplemented, or repealed, except in accordance with the procedure prescribed in this section for adoption of land-use regulations. Referenda on adoption, amendment, supplementation, or repeal of land-use regulations shall not be held more often than once in six (6) months.

The regulations to be adopted by the supervisors under the provisions of this section may include:

1. Provisions requiring the carrying out of necessary engineering operations, including the construction of terraces, terrace outlets, check dams, dikes, ponds, ditches, and other necessary structures;
2. Provisions requiring observance of particular methods of cultivation including contour cultivating, contour furrowing, lister furrowing, sowing, planting strip cropping, changes in cropping systems, seeding, and planting of lands to water-conserving and erosion-preventing plants, trees and grasses, forestation and reforestation;
3. Specifications of cropping programs and tillage practices to be observed;
4. Provisions requiring the retirement from cultivation of highly erosive areas or of areas on which erosion may not be adequately controlled if cultivation is carried on;
5. Provisions for such other means, measures, operations, and programs as may assist conservation of soil resources and prevent or control soil erosion in the district, having due regard to the legislative findings set forth in section 2 of this Act.

The regulations shall be uniform throughout the territory comprised within the district except that the supervisors may classify the lands within the district with reference to such factors as soil type, degree of slope, degree of erosion threatened or existing, cropping and tillage practices in use, and other relevant factors, and may provide regulations varying with the type or class of land affected,

but uniform as to all lands within each class or type. Copies of land-use regulations adopted under the provisions of this section shall be printed and made available to all owners and occupiers of lands lying within the district.

§ 10. Enforcement of such regulations.—The supervisors shall have authority to go upon any lands within the district to determine whether land-use regulations adopted under the provisions of section 9 of this Act are being observed. Where the supervisors of any district shall find that any of the provisions of land-use regulations adopted in accordance with the provisions of section 9 hereof are not being observed on particular lands, and that such non-observance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district, the supervisors may present to the court of common pleas for the county or counties within which the lands of the defendant may lie, a petition, duly verified, setting forth the adoption of the ordinance prescribing land-use regulations, the failure of the defendant land owner or occupier to observe such regulations, and to perform particular work, operations, or avoidances as required thereby, and that such non-observance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district, and praying the court to require the defendant to perform the work, operations, or avoidances within a reasonable time and to order that if the defendant shall fail so to perform the supervisors may go on the land, perform the work or other operations or otherwise bring the condition of such lands into conformity with the requirements of such regulations, and recover the costs and expenses thereof, with interest, from the owner of such land. Upon the presentation of such petition the court shall cause process to be issued against the defendant and shall hear the case. If it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence, or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made.

The Court may dismiss the petition; or it may require the defendant to perform the work, operations, or avoidances, and may provide that upon the failure of the defendant to initiate such performance within the time specified in the order of the court, and to prosecute the same to completion with reasonable diligence, the super-

visors may enter upon the lands involved and perform the work or operations, or otherwise bring the conditions of such lands into conformity with the requirements of the regulations and recover the costs and expenses thereof, with interest, at the rate of 5 per centum per annum, from the owner of such lands.

The Court shall retain the jurisdiction of the case until after the work has been completed. Upon completion of such work pursuant to such order of the court the supervisors may file a petition with the court, a copy of which shall be served upon the defendant in the case, stating the costs and expenses sustained by them in the performance of the work and praying judgment therefor with interest. The court shall have jurisdiction to enter judgment for the amount of such costs and expenses, with interest at the rate of 5 per centum per annum until paid, together with the costs of suit, including a reasonable attorney's fee to be fixed by the court.

§ 11. Boards of adjustment—land occupiers petition for relief.—A. Where the supervisors of any district organized under the provisions of this act shall adopt an ordinance prescribing land-use regulations in accordance with the provisions of Section 9 hereof, they shall further provide by ordinance for the establishment of a board of adjustment. Such board of adjustment shall consist of three (3) members, each to be appointed for a term of three (3) years, except that the members first appointed shall be appointed for terms of 1, 2, and 3 years respectively. The members of each such board of adjustment shall be appointed by the State soil conservation committee, with the advice and approval of the supervisors of the district for which such board has been established, and shall be removable, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason, such hearing to be conducted jointly by the State soil conservation committee and the supervisors of the district. Vacancies in the board of adjustment shall be filled in the same manner as original appointments, and shall be for the unexpired term of the member whose term becomes vacant. Members of the State soil conservation committee and the supervisors of the district shall be ineligible to appointment as members of the board of adjustment during their tenure of such other office. The members of the board of adjustment shall receive compensation for their services at a per diem rate to be determined by the State Committee for time spent on the work of the board, in addition to expenses, including traveling expenses, necessarily incurred in the discharge of their duties. The supervisors shall pay the necessary ad-

ministrative and other expenses of operation incurred by the board, upon the certificate of the chairman of the board.

B. The board of adjustment shall adopt rules to govern its procedures, which rules shall be in accordance with the provisions of this Act and with the provisions of any ordinance adopted pursuant to this section. The board shall designate a chairman from among its members, and may, from time to time, change such designation. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Any two (2) members of the board shall constitute a quorum. The chairman, or in his absence such other member of the board as he may designate to serve as acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep a full and accurate record of all proceedings, of all documents filed with it, and of all orders entered, which shall be filed in the office of the board and shall be a public record.

C. Any land occupier may file a petition with the board of adjustment alleging that there are great practical difficulties or unnecessary hardship in the way of his carrying out upon his lands the strict letter of the land-use regulations prescribed by ordinance approved by the supervisors, and praying the board to authorize a variance from the terms of the land-use regulations in the application of such regulations to the lands occupied by the petitioner. Copies of such petition shall be served by the petitioner upon the chairman of the supervisors of the district within which his lands are located and upon the chairman of the State soil conservation committee. The board of adjustment shall fix a time for the hearing of the petition and cause due notice of such hearing to be given. The supervisors of the district and the State soil conservation committee shall have the right to appear and be heard at such hearing. Any occupier of lands lying within the district who shall object to the authorizing of the variance prayed for may intervene and become a party to the proceedings. Any party to the hearing before the board may appear in person, by agent, or by attorney. If, upon the facts presented at such hearing, the board shall determine that there are great practical difficulties or unnecessary hardship in the way of applying the strict letter of any of the land-use regulations upon the lands of the petitioner, it shall make and record such determination and shall make and record findings of fact as to the specific conditions which establish such great practical difficulties or unnecessary hardship. Upon

the basis of such findings and determination, the board shall have power by order to authorize such variance from the terms of the land-use regulations, in their application to the lands of the petitioner, as will relieve such great practical difficulties or unnecessary hardship and will not be contrary to the public interest, and such that the spirit of the land-use regulations shall be observed, the public health, safety, and welfare secured, and substantial justice done.

D. Any petitioner aggrieved by an order of the board granting or denying, in whole or in part, the relief sought, the supervisors of the district, or any intervening party, may obtain a review of such order in the court of common pleas for the county or counties in which the lands of the petitioner may lie, by filing in such court a petition praying that the order of the board be modified or set aside. A copy of such petition shall forthwith be served upon the parties to the hearing before the board and thereupon the party seeking review shall file in the court a transcript of the entire record in the proceedings, certified by the board, including the documents and testimony upon which the order complained of was entered, and the findings, determination, and order of the board. Upon such filing the court shall cause notice thereof to be served upon the parties and shall have jurisdiction of the proceedings and of the questions determined or to be determined therein, and shall have power to grant such temporary relief as it deems just and proper, and to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside, in whole or in part, the order of the board. No contention that has not been urged before the board shall be considered by the court unless the failure or neglect to urge such contention shall be excused because of extraordinary circumstances. The findings of the board as to the facts, if supported by evidence, shall be conclusive. If any party shall apply to the court for leave to produce additional evidence and shall show to the satisfaction of the court that such evidence is material and that there were reasonable grounds for the failure to produce such evidence in the hearing before the board, the court may order such additional evidence to be taken before the board and to be made a part of the transcript. The board may modify its findings as to the facts or make new findings, taking into consideration the additional evidence so taken and filed, and it shall file such modified or new findings which, if supported by evidence, shall be conclusive, and shall file with the court its recommendation, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be ex-

clusive and its judgment and decree shall be final, except that the same shall be subject to review in the same manner as are other judgments or decrees of the court.

§ 12. Supervisors cooperate with one another.—The supervisors of any two or more districts organized under the provisions of this act may cooperate with one another in the exercise of any or all powers conferred in this act.

§ 13. Public lands.—Agencies of this State which shall have jurisdiction over, or be charged with the administration of any State-owned lands, and of any county, or other governmental subdivision of the State, which shall have jurisdiction over, or be charged with the administration of, any county-owned or other publicly owned lands, lying within the boundaries of any district organized hereunder, shall cooperate to the fullest extent with the supervisors of such districts in the effectuation of programs and operations undertaken by the supervisors under the provisions of this act. The supervisors of such districts shall be given free access to enter and perform work upon such publicly owned lands. The provisions of land-use regulations adopted pursuant to section 9 of this act shall have the force and effect of law over all such publicly owned lands and shall be in all respects observed by the agencies administering such publicly owned lands.

§ 14. Discontinue districts—procedure.—At any time after five (5) years after the organization of a district under the provisions of this act, any twenty-five (25) owners of land lying within the boundaries of such districts may file a petition with the State soil conservation committee praying that the operations of the district be terminated and the existence of the district discontinued. The committee may conduct such public meetings and public hearings upon petition as may be necessary to assist it in the consideration thereof. Within sixty (60) days after such a petition has been received by the committee it shall give due notice of the holding of a referendum, and shall supervise such referendum, and issue appropriate regulations governing the conduct thereof, the question to be submitted by ballots upon which the words “For terminating the existence of the _____ (name of the soil conservation district to be here inserted)” and “Against terminating the existence of the _____ (name of the soil conservation district to be here inserted)” shall appear with a square before each proposition and a direction to insert an X mark in the square before one or the

other of said propositions as the voter may favor or oppose discontinuance of such districts. All owners of land lying within the boundaries of the district shall be eligible to vote in such referendum. Only such land owners shall be eligible to vote. No informalities in the conduct of such referendum or in the matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted.

The committee shall publish the result of such referendum and shall thereafter consider and determine whether the continued operation of the district within the defined boundaries is administratively practicable and feasible. If the committee shall determine that the continued operation of such district is administratively practicable and feasible, it shall record such determination and deny the petition. If the committee shall determine that the continued operation of such district is not administratively practicable and feasible, it shall record such determination and shall certify such determination to the supervisors of the districts. In making such determination the committee shall give due regard and weight to the attitude of the owners and occupiers of lands lying within the district, the number of land owners eligible to vote in such referendum who shall have voted, the proportion of the votes cast in such referendum in favor of the discontinuance of the district to the total number of votes cast, the approximate wealth and income of the land owners and occupiers of the district. The probable expense of carrying on erosion control operations within such district, and such economic and social factors as may be relevant to such determination, having due regard to the legislative findings set forth in Section 2 of this act; provided, however, that the committee shall not have authority to determine that the continued operation of the district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of such district.

Upon receipt from the State soil conservation committee of a certification that the committee has determined that the continued operation of the district is not administratively practicable and feasible, pursuant to the provisions of this section, the supervisors shall forthwith proceed to terminate the affairs of the district. The supervisors shall dispose of all property belonging to the district at public auction and shall pay over the proceeds of such sale to be converted into the State Treasury. The supervisors shall thereupon file

an application, duly verified, with the secretary of state for the discontinuance of such district, and shall transmit with such application the certificate of the State soil conservation committee setting forth the determination of the committee that the continued operation of such district is not administratively practicable and feasible. The application shall recite that the property of the district has been disposed of and that the proceeds paid over as in this section provided, and shall set forth a full accounting of such properties and proceeds of the sale. The Secretary of State shall issue to the supervisors a certificate of dissolution and shall record such certificate in an appropriate book of record in his office.

Upon issuance of a certificate of dissolution under the provision of this section, all ordinances and regulations theretofore adopted and in force within such districts shall be of no further force and effect. All contracts theretofore entered into, to which the district or supervisors are parties, shall remain in force and effect for the period provided in such contracts. The State soil conservation committee shall be substituted for the district or supervisors as a party to such contracts. The committee shall be entitled to all benefits and subject to all liabilities under such contracts and shall have the same right and liability to perform, to require performance, to sue and be sued thereon, and to modify or terminate such contracts by mutual consent or otherwise, as the supervisors of the district would have had. Such dissolution shall not affect the lien of any judgment entered under the provisions of section 10 of this Act, nor the pendency of any action instituted under the provisions of such section, and the committee shall succeed to all the rights and obligations of the district or supervisors as to such liens and actions.

The State soil conservation committee shall not be required to entertain petitions for the discontinuance of any district nor conduct referenda upon such petitions nor make determinations pursuant to such petitions in accordance with the provisions of this Act, more often than once in five (5) years.

§ 15. Invalidity.—If any provision of this Act, or the application of any provision to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

§ 16. Effect on other laws.—Insofar as any of the provisions of this Act are inconsistent with the provisions of any other law, the provisions of this Act shall be controlling.

§ 17. **Date effective.**—This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(312)

No. 183.

AN ACT to Amend an Act Entitled "An Act to Amend Act No. 783, of the General Assembly of the State of South Carolina, for the Year 1934 (38 Stat. 1368), by Adding Thereto a New Section to be Known as Section 19, to Provide for the Extension of the Terms of Said Act to 'Authorities' or 'Housing Authorities' in Communities Outside of Incorporated Towns or Cities; and to Provide for the Action of the Legislative Delegation and the Senator in Said Communities in Lieu of Town Councils or City Councils and the Mayor Thereof; and to Provide for the Determination of the Territory to be Embraced in Said Authority", and Known as Act No. 345, of the Acts of 1935, so as to Provide for the Creation of Housing Authorities in Counties, and for the Territorial Jurisdiction of Housing Authorities.

Section 1. Act 783, 1934 Acts, amended—housing authorities in counties—territorial jurisdiction of housing authorities.—Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled "An Act to Amend Act No. 783 of the General Assembly of the State of South Carolina for the Year 1934, (38 Stat. 1368), by Adding Thereto a New Section to be Known as Section 19, to Provide for the Extension of the Terms of Said Act to 'Authorities' or 'Housing Authorities' in Communities Outside of Incorporated Towns or Cities; and to Provide for the Action of the Legislative Delegation and the Senator in Said Communities in Lieu of Town Councils or City Councils and the Mayors Thereof; and to Provide for the Determination of the Territory to be Embraced in said Authority", and known as Act No. 345 of the Acts of 1935, be amended by striking out the title of said Act and inserting in lieu thereof the following title:

"An Act to Amend Act No. 783 of the General Assembly of the State of South Carolina for the year 1934 (38 Stat. 1368), by Adding Thereto a new Section to be known as Section 19, to Provide for the Extension of the terms of said Act to 'Housing Authorities' in counties; to Provide for the Action of the Legislative Delegation

and the Senator in the counties in lieu of city councils and the mayors thereof; and to provide for the territory to be embraced in Housing Authorities in counties."

§ 2. Same.—That Section 1, of said Act No. 345, of the Acts of 1935, be, and the same is hereby, amended by striking out said Section 1, and inserting in lieu thereof the following to be known as Section 1:

"Section 1: That Act No. 783, of the General Assembly of the State of South Carolina for the year 1934 (38 Stat. 1368) be, and the same is hereby, amended by adding thereto the following section, to be known as Section 19:

'Section 19: In each county of the State there is hereby created a public body corporate and politic to be known as the "Housing Authority" of the county; Provided, However, that such Housing Authority shall not transact any business or exercise its powers hereunder until or unless the Legislative Delegation of such county by proper resolution shall declare at any time hereafter that there is need for a Housing Authority to function in such county, which declaration shall be made by such Legislative Delegation for such County in the same manner and subject to the same conditions as the declaration of a city council required by Section 3 hereof, as amended, for the purpose of authorizing the Housing Authority of a city to transact business and exercise its powers (Except that the petition referred to in said Section 3, as amended, shall be signed by twenty-five residents of such county). The Housing Authorities of the counties shall, within their territorial jurisdiction as herein-after defined, have all of the functions, rights, powers, duties and liabilities provided in this Act for Housing Authorities in cities, and the provisions of this Act shall, within the territorial jurisdiction of such Housing Authorities of the counties, apply to the Housing Authorities of the counties in the same manner and to the same extent as this Act applies to Housing Authorities created in cities; Provided, that as to the Housing Authorities of the counties the Legislative Delegation of the county in which such Authority is situated is hereby authorized to perform the acts herein required or permitted by this Act to be performed by a City Council for the Housing Authority of a City and the Senator of such county is hereby authorized to perform such acts as are required or permitted by this Act to be performed by the Mayor of such City: The territorial jurisdiction of a Housing Authority of a county shall be coterminous with the boundaries of the county in which such Authority is

situated but shall not include that portion of the county within the territorial jurisdiction of any Housing Authority of a city; Provided, However, that notwithstanding the provisions of this section the State Board of Housing may exercise its power to extend the territorial jurisdiction of a Housing Authority of a city over territory contiguous thereto (including territory included within the territorial jurisdiction of the Housing Authority of a County), and such extension of the territorial jurisdiction of a Housing Authority of a city and limitation of the territorial jurisdiction of the Housing Authority of the County affected thereby shall not be deemed to conflict with the Housing Authority of the county within the meaning of Section 6 of this Act unless a housing project shall have been constructed or acquired or, in the determination of the State Board of Housing, is about to be constructed or acquired by the Housing Authority of such county within the territory proposed to be included within the territorial jurisdiction of the Housing Authority of the city.'"

§ 3. Intent—invalidity.—Notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

§ 4. Effect on other laws.—In so far as the provisions of this Act are inconsistent with the provisions of any other law, the provisions of this Act shall be controlling.

§ 5. Time effective.—This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(314)

No. 184.

AN ACT to Exempt Certain New Industries from All County, Municipal and School District Taxes in Dorchester County for Five Years.

Section 1. Certain industries exempt from certain taxes, Dorchester County.—Be it enacted by the General Assembly of the State of South Carolina: That all new industries hereafter organized and located in the county of Dorchester, and having a paid in capital

stock of Fifteen Thousand (\$15,000.00) Dollars, or more, shall be exempt from all county, municipal and school district taxes for a period of five years.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 16th day of April, 1937.

(315)

No. 185.

AN ACT Granting Rights-of-Way for Water Pipe and Power Lines Along County Roads in Georgetown County.

Whereas, Southern Kraft Corporation is constructing a large pulp and paper plant in the County of Georgetown, near the City of Georgetown, and

Whereas, it is found necessary to lay pipe lines and conduits for the transportation of water and electric current for power through certain lands and along county roads in Georgetown County from the mill site of said Southern Kraft Corporation to Black River in Georgetown County, and

Whereas, the construction and operation of said plant by Southern Kraft Corporation will tend to enlarge the resources, increase the industrial energies, and promote the production power of a considerable number of inhabitants of Georgetown County and a large section of the State of South Carolina; *Now Therefore*

Section 1. Southern Kraft Corporation construct and maintain water pipe and power lines along certain roads, Georgetown County.—Be it enacted by the General Assembly of the State of South Carolina: That Southern Kraft Corporation is hereby granted the right and privilege of constructing, installing, laying and maintaining water pipe lines and conduits for the transportation of water and electric current for power along county roads now constructed or to be constructed in Georgetown County to Black River: *Provided*, That the installation and maintenance of all of the same shall be under the supervision and subject to the approval of the County Commissioners of Georgetown County and that Southern Kraft Corporation shall construct and maintain all of the foregoing with due regard to the use of said roads by the traveling public and shall be responsible for any harm or damage that may result from this grant and the use of the said rights-of-way.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(316)

No. 186.

AN ACT to Repeal an Act Entitled "An Act to Fix the Number of School Trustees in the Several School Districts in Lexington County, to Fix the Term of Office and Method of Appointment and to Restrict the Power of Trustees to Employ Teachers Beyond Their Term of Office", Known as Act No. 174 of the Acts of 1933.

Section 1. Act 174, 1933 Acts, repealed—school trustees, Lexington County—appointment—powers.—Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled "An Act to Fix the Number of School Trustees in the Several School Districts in Lexington County, to Fix the Term of Office and Method of Appointment and to Restrict the Power of Trustees to Employ Teachers Beyond Their Term of Office, known as Act No. 174 of the Acts of 1933, be, and the same is hereby repealed.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(318)

No. 187.

AN ACT Providing an Open Season for Hunting and Killing Foxes in Spartanburg County.

Section 1. Season hunt and kill foxes, Spartanburg County.—Be it enacted by the General Assembly of the State of South Carolina: It is hereby declared to be lawful to hunt and/or kill foxes at any and all seasons of the year in Spartanburg County.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(319)

No. 188.

AN ACT to Authorize the Town Council of the Town of Allendale, South Carolina, to Extend the Time for the Payment of Paving Assessments Assessed Against Abutting Property Owners in the Said Town, and to Provide for the Payment Thereof in Annual or Semi-Annual Installments Over a Period of Not Exceeding Twenty Years.

Section 1. Town of Allendale extend time pay paving assessments—pay in installments.—Be it enacted by the General Assembly of the State of South Carolina: The Town Council of the Town of Allendale, South Carolina, is hereby authorized and empowered to permit any and all owners of property abutting on pavement of streets and sidewalks of said Town who are indebted to the Town for paving assessments against the said property, to pay the amount of past due, current and future assessments in annual or semi-annual installments in such amounts and over such period of years, not exceeding twenty years, as the said Town Council may in its discretion prescribe by ordinance or resolution, said installments to bear such rate of interest as the said Town Council may prescribe in its discretion.

§ 2. Lien against property for paving assessments date back to original assessments.—Whenever any owner of property abutting upon the paving of streets and sidewalks of the said Town shall apply to the said Town Council for the right to pay the said assessments in installments as provided in Section 1 hereof, and when the said application shall have been granted by the said Town Council, the lien on such property for paving assessments heretofore assessed and unpaid shall merge into the lien of the assessments newly provided for under the provisions hereof, but the priority of the lien for paving assessments fixed hereunder, shall date back to the time of the original assessment, and shall not be impaired by any intervening liens against said property.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(320)

No. 189.

AN ACT to Provide for Election of School Trustees for Vox School District No. 56 in Florence County.

Section 1. Trustees, Vox School District No. 56, Florence County—election—term—vacancy.—Be it enacted by the General Assembly of the State of South Carolina: That the County Superintendent of Education of Florence County shall, on the first Tuesday in May, 1937, and on the same day in May of each year thereafter, call a meeting of the electors of Vox School District No. 56 in Florence County to be held at some suitable place in said district, which said meeting shall be advertised each year, three weeks before the said date fixed and in three conspicuous places in said District, and at such meeting the electors attending shall organize as a mass meeting, consider their school needs and shall nominate and recommend to the County Board at the meeting held on the said day, one trustee to fill the vacancy occurring in 1937, and at each annual meeting thereafter the vacancy occurring on the said Board shall be filled in the same manner: *Provided*, That each trustee shall be appointed for only three (3) years; *Provided, Further*, That the County Superintendent of Education may fill any vacancy occurring in the Board of Trustees of said District, between elections, but such appointment to fill such vacancy shall be only until the succeeding mass meeting herein provided for.

§ 2. Report annually.—That at such annual meeting in said district the trustees shall make a report to the meeting of the financial affairs of the district which shall include an itemized statement of all expenditures for the previous year, together with such recommendations as they may deem proper which report, with the minutes of the mass meeting of the electors, shall be forwarded by the Secretary of the meeting to the County Superintendent of Education and filed for record in his office as a public document.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(322)

No. 190.

AN ACT to Amend Section 3792 of the Code of Laws of South Carolina, 1932, so as to Provide for the Re-organization and Enlargement of the County Police Commission of Charleston County; to Authorize Rules and Regulations by the Commission, and to Make Further Provisions with Reference to the Operation of the County Police Force.

Section 1. § 3792, 1932 Code, amended—county police commission of Charleston County—reorganize—enlarge—issue rules and regulations—operation of police force.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3792 of the Code of Laws of South Carolina, 1932, be, and the same is hereby, amended by striking out the whole of said Section and inserting in lieu thereof the following, to be known as Section 3792:

“Section 3792. (1) There is hereby created a Board to be known as the County Police Commission of Charleston County, which shall consist of five (5) reputable citizens of the County who shall be elected by the Charleston County Legislative Delegation, and upon their election the Governor shall forthwith commission them as members of the County Police Commission of Charleston County; *Provided, However,* That pending the issuance of such commission, the citizens so elected shall be authorized and empowered to perform the duties of members of said Commission, with all of the power and authority given unto the Commission by this Act. For the purpose of enabling complete cooperation between the various law enforcement agencies in the County of Charleston, the Sheriff of Charleston County and the Chairman of the Police Commission of the City of Charleston shall be *ex officio* members of said Commission. At least one of the five elective Commissioners shall be a resident of that section of Charleston County lying East of the Cooper River; and at least one shall be a resident of that section of Charleston County lying between the Ashley River and the Cooper River and North of the corporate limits of the City of Charleston; and at least one shall be a resident of that section of Charleston County lying West of the Ashley River. Each Commissioner so elected shall serve for a term of six years, and until his successor shall have been appointed and qualified, and shall receive as compensation for his services a per diem of such amount as shall be fixed and appropriated in the annual Charleston County Supply Act: *Provided,* That the *ex-officio* members shall serve without pay. The present members of the

County Police Commission of Charleston County shall constitute three of the Commissioners herein provided for, serving until the expiration of their respective terms, and one of the new Commissioners elected hereunder shall be elected for an initial term of four years and one for an initial term of six years, and thereafter for six years. The Commission shall elect its own Chairman and its own Secretary from among the elective members thereof.

(2) There shall be such number of County Policemen for the County of Charleston as shall be determined to be necessary and proper by the said County Police Commission, with the written approval of the Senator and a majority of the members of the House of Representatives for said County. Such County Policemen shall receive such compensation as shall be fixed and appropriated in the annual Charleston County Supply Act.

(3) The Chairman of the County Police Commission of Charleston County, elected as herein provided, shall be *ex-officio* Director of the County Police, which shall be a full-time position, and he shall receive such compensation as shall be fixed and appropriated in the annual Charleston County Supply Act. Said Director of County Police shall have command of the County Policemen, subject to such rules and regulations as may be, from time to time, adopted by the said County Police Commission for the efficient operation of the County Police Force. Said Director of County Police shall also have all the power and authority herein conferred upon the County Policemen, in the enforcement of the laws of this State in the said County. The said Commission shall have the power at any time for cause to remove the Chairman; and, pending the election of a successor, to appoint an acting director of County Police, who shall have, during the term of his office as such, all of the power and authority herein given to the Director. The Commission shall also have the power to dismiss, or suspend without pay, or as a fine deduct and withhold a part of the pay of any or all of such County Policemen, for breach of duty or failure to perform duty or any infraction of the rules or regulations adopted by the Commission for their government and control.

(4) The said Policemen shall be bona fide residents of Charleston County for at least one year before appointment and shall be able-bodied men of good habits, not addicted to the use of alcoholic liquors and drugs. Each of the said Policemen shall be required to provide himself with such uniform as the commission shall prescribe, and a suitable automobile, and a telephone in his residence where practic-

able, and for the maintenance of all of such he shall receive such allowance as shall be fixed and appropriated in the annual Charleston County Supply Act.

(5) The general duties of the said County Policemen shall be to patrol the roads of the County when not otherwise engaged, quell all disorder, enforce all laws of the State, with special attention to the traffic laws, serve as magistrates' constables in rural districts when required to do so by said magistrates, and generally to apprehend any violators of the law, and give such assistance as in their power, to the sheriff and magistrates and their constables, and they are hereby given all authority to make arrests, searches and seizures as are now possessed by constables and policemen.

(6) The jurisdiction of all County Policemen to make arrests for the violation of the criminal laws of this State shall extend over the entire County of Charleston and they shall have authority for any suspected crime, whether upon view or prompt information or complaint, to arrest without warrants, and, in pursuit of the criminal, to enter houses or break therein, in their own County, and shall have authority to summon the *posse comitatus* to assist in enforcing the law, and any citizen who shall fail to respond or render assistance when so summoned shall be guilty of a misdemeanor, and, upon conviction, be punished by imprisonment for not more than thirty (30) days or a fine of not more than one hundred (\$100.00) dollars.

(7) Said Director and each of said Policemen before being commissioned shall, in addition to the oath of office required by law, take and subscribe to the following oath or affirmation, to wit: "I do further solemnly swear, or affirm, that during the term of office as Policeman I will study the section creating my office and prescribing my duties, and will endeavor to inform myself of the criminal laws of this State, both statutory and common law pertaining to my duties, and will be alert and vigilant to enforce the same, and to detect and bring to punishment every violation of the same within my County, and will conduct myself at all times with due consideration to all persons and will not impose upon the weak and ignorant. So help me God". A copy of said section and oath of office, in a convenient pocket pamphlet shall be furnished by the sheriff to each policeman in the county.

(8) Said Director and each of said Policemen shall, before entering upon the duties of his office, enter into a bond with good surety, to be approved by the County Board of Commissioners and the Clerk of Court, payable to the County, in the sum of five hun-

dred (\$500.00) dollars, conditioned for the faithful performance of his duties and for such damages as may be sustained by reason of his malfeasance in his office or abusing his authority, and it shall be the duty of the County Police Commission of Charleston County and the grand jury of the County to investigate promptly any complaint made against such Policemen for neglect of duty or for misuse of power; and said bond to be filed and kept by the Clerk of Court.

(9) The County Police Commission shall have the power and authority to make and promulgate rules and regulations which it shall have full power and authority to amend or supersede from time to time, governing the operation of the County Police Force, and providing for the full utilization of the short wave radio set-up in the City and County of Charleston, and may, by rule or regulation, charge and empower the several members of the Commission resident in the several sections of the County to keep informed of and report on conditions in their respective sections. The Commission shall particularly concern itself with setting up proper methods of coping with traffic law violations and traffic accidents, and the elimination, in so far as possible of dangerous and illegal motor vehicle operation on the roads and highways in the County.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(323)

No. 191.

AN ACT Providing an Open Season for Hunting and Killing Foxes in Dorchester and Barnwell Counties.

Section 1. Hunt and kill foxes any time, Barnwell and Dorchester Counties.—Be it enacted by the General Assembly of the State of South Carolina: It is hereby declared to be lawful to hunt and/or kill foxes at any and all seasons of the year in Dorchester and Barnwell Counties.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(324)

No. 192.

AN ACT to Provide for the Formation and the Management of a County Forest Fire Control Organization and Providing for the Systematic Care and Management of Forests and Wild Land Areas in Marion County, in South Carolina; for the Protection of Forest Lands; to Promote Reforestation on Denuded and Under-Stocked and Sub-Marginal Areas Within the County; Defining Forests and Forest Fires; and Providing for the Financing Thereof.

Section 1. Short title.—Be it enacted by the General Assembly of the State of South Carolina: This Act shall be cited as the “Marion County Forest Fire Control Organization Act.”

§ 2. Declaration of Marion County legislative delegation.—The Delegation of Marion County, State of South Carolina, recognizing the fact that the forest lands of Marion County are a natural resource of great economic value to its citizens and the County as a whole, and that the recent establishment in South Carolina of the pulp and paper industry has materially increased the value of this natural resource, and that it is of the utmost importance to Marion County to preserve its forest lands for continuous production of forest products, and that this cannot be accomplished without organized protection against forest fires, does hereby declare the protection against fire and the preservation of the forests of Marion County, as herein defined, essential for the economic welfare of the whole County and its people.

§ 3. Forest fire control organization district.—That for the purpose of providing for the protection of forest lands, to promote reforestation on denuded and under-stocked and sub-marginal areas, and to aid in the enforcement of all laws pertaining to forests and other lands, Marion County, for the purpose of this Act, is under the provisions hereof, created a Forest Fire Control Organization District.

§ 4. Fire prevention and control work.—All fire prevention and control work in this Forest Fire Control Organization District, created by this Act, shall be under the direction of the South Carolina Commission of Forestry and the State Forester, subject to the provisions of this Act and the laws of the State and Federal Government now, or hereafter, enacted, relative to forestry and forest fire prevention and control.

§ 5. **"Forest land" defined.**—For the purpose of this Act, all lands within said fire District shall be construed "Forest Land" which have enough forest growth, standing or down, or have sufficient inflammable debris or grass outside of corporate limits to constitute, in the judgment of the South Carolina State Commission of Forestry, a fire menace to itself or adjoining lands.

§ 6. **"Forest fire" defined.**—The term "Forest Fire", as used in this Act, means any fire burning uncontrolled on any land covered wholly or in part by timber, brush, grass or other inflammable vegetation.

§ 7. **County tax to defray expenses—amount—disbursement.**—The Auditor of Marion County is hereby directed annually to levy a sufficient tax upon all taxable property of Marion County to raise not less than Three Thousand (\$3,000.00) Dollars per annum for the purpose of defraying the expenses incident to the forest fire control herein provided, except that, the amount to be raised for the year 1937 shall be the sum of Fifteen Hundred (\$1500.00) Dollars, since this Act will not take effect until July 1, 1937. The Treasurer of Marion County shall on the first day of July, 1937, pay over to the State Commission of Forestry the sum of Fifteen Hundred (\$1500.00) Dollars, and thereafter shall on the first day of March annually, commencing March 1, 1938, pay over to the State Commission of Forestry the sum of Three Thousand (\$3,000.00) Dollars, the said sums to be used by the said Forestry Commission as herein provided, and the voucher, check or other method of payment made by said Treasurer shall be complete discharge of the said Treasurer hereunder.

§ 8. **Board—appointment—term.**—There shall be set up a board, to be known as the Marion County Forestry Board, consisting of seven (7) members of which one shall be the State Forester (or his representative—a member of the State Forest Service), with full voting power; one shall be a member of the County Delegation; and one shall be the County Farm Demonstration Agent. The four remaining members shall be so elected by the County Delegation that one shall be a practical lumberman; one shall be a landowning farmer, and two shall be from the County at large. The members elected to the Board shall serve continuously or until the dissolution of this Forest Fire Control Organization District. Vacancies occurring in the membership of said Board, due to resignation or any other reason, shall be filled by nomination upon a majority vote of the remaining members of the Marion County Forestry Board at the

first meeting following the occurrence of such vacancy, provided, however, that such nomination shall be in accordance with the representation specified in this Act. All members of said Board shall serve without compensation.

§ 9. Duties of board—meetings—wardens, patrolmen and towermen.—The duties of the Board shall be to serve in an advisory and executive capacity for the performance of the provisions of this Act. They shall hold at least two meetings in each year, one during the month of October and one during the month of February. They shall approve, with such modifications as they may deem desirable, the forest fire control plan set up for the organization area by the State Commission of Forestry. And they shall also approve, with such modifications as they may deem desirable, the budget set up for the carrying on of said fire control plan. They shall appoint the necessary wardens, patrolmen and towerman, subject to the approval of the State Commission of Forestry. They shall further define the forest land area of the County in accordance with acreage, as described in Section 7.

§ 10. Forest fire wardens—duties and powers.—Each forest fire warden shall have the power, and his duties shall be, (a) to act as the field representative of the State Forester, (b) to prepare and forward to the State Forester, through the proper channels, such data in his district as may be required by the State Forester, (c) to report to the State Forester conditions existing within his District which are or may become forest fire hazards, and to perform such other acts and duties as may be necessary in the opinion of the State Forester to conform with the purposes of this Act.

§ 11. State commission of forestry and state forester—duties and powers.—The State Commission of Forestry and the State Forester shall compile for the October meeting of the Forestry Board in each year a fire control plan for the Fire Control Organization Area and a budget itemizing the expenditures to be made during the year following. It shall, following the approval of the fire plan and budget, be the governing body of all fire control activities within the Fire Control Organization Area, and shall have power to make and enforce all rules and regulations necessary for the administration and government of the area from the standpoint of forest fire prevention and control service, to recommend personnel to be employed as fore wardens, and to be the authorized agent of the Forestry Board to administer the acts of said Board under the authority granted by this Act. The State Forester and his agents, or members

of the State Commission of Forestry, or of the Forest Fire Organization Area, shall have the right at any or all times to go upon any land within the area for the purpose of fighting or controlling forest fires, as defined herein, without making himself liable for trespassing.

§ 12. **Property acquired—title.**—The title to all property which may through the cooperative forest fire control funds, be acquired for the carrying on of this County Forest Fire Control Organization Area, created under the provisions of this Act, shall be vested in the State Commission of Forestry. *Provided, However,* If the State Commission of Forestry withdraws aid from said District, the title to said property shall vest in said Fire Control District, but should aid be withdrawn by said Fire Control District then title shall vest in said Commission of Forestry.

§ 13. **Owners may burn over lands.**—Nothing in this Act shall be construed as limiting and restricting the owners of any forest land within the Organization Area burning over their own land where the fire is not allowed to spread onto or over the land of another or others.

§ 14. **Invalidity.**—If any section, sub-section, sentence, clause or phrase of this Act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section; sub-section, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections sub-sections, sentences, clauses or phrases be declared unconstitutional.

§ 15. **Repeal.**—All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 16. **Time effective.**—This Act shall take effect on the first day of July, 1937.

Approved the 17th day of April, 1937.

(325)

No. 193.

AN ACT to Amend Section 4467, Vol. II, Code of Laws of South Carolina, 1932, Relating to the Finance Board of Greenwood County, as Amended by Act No. 338 of the Acts of the General Assembly, 1935, Entitled "An Act to Amend Sub-Sections (1) and (5) of Section 4467 of the Code of Laws of South Carolina, 1932, by Adding to the Finance Board of

**Greenwood County, Etc'', and by an Act Approved the—
Day of April, 1937, Entitled "To Amend Section 4467 of the
Code of Laws of South Carolina, 1932, so as to Provide for
the Countersigning of Claims by the Purchasing Agent, and
Also to Provide for the Disposition of Funds Derived from
Grants and the Sale of Revenue Bonds" so as to Provide
That the Treasurer of Greenwood County is to Account to
the Finance Board for All Funds Received from Grants or
Sale of Revenue Bonds and is to be Given a Release, and
that, When Requested by a Majority of the Finance Board,
He Shall Execute and Deliver the Necessary Bonds in Con-
nection with the Buzzard Roost Hydro-Electric Project and
the Rural Electrification Project of Greenwood County.**

Section 1. § 4467, 1932 Code, amended—duties and powers of treasurer as to grants and revenue bonds, Greenwood County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 4467, Vol. II, Code of Laws of South Carolina, 1932, as amended by Act. No. 338 of the Acts of the General Assembly of 1935, approved May 20, 1935, entitled "An Act to Amend Sub-Sections (1) and (5) of Section 4467 of the Code of Laws of South Carolina, 1932, by Adding to the Finance Board of Greenwood County, Etc.", and by an Act of the General Assembly approved April , 1937, entitled "To Amend Section 4467 of the Code of Laws of South Carolina, 1932, So as to Provide for the Countersigning of Claims by the Purchasing Agent, and also to Provide for the Disposition of Funds derived from Grants and the Sale of Revenue Bonds," be, and the same is, hereby amended by adding the following subdivision to be known as subdivision 7:

"(7) That the Treasurer of Greenwood County is to account to the Finance Board for all funds in hand from grants or sale of Revenue Bonds, and, upon proper accounting, is to be given a release by the Finance Board on all of such matters. The Treasurer from the time of such accounting shall have no other responsibility for monies derived from such grants or revenue bonds other than as a member of the Finance Board, *Provided*, That the Treasurer is hereby authorized and directed, when requested by a majority of the Finance Board to execute and deliver such Bonds as may be necessary in connection with the Hydro-Electric Project in Greenwood County known as Buzzard Roost, and the Rural Electrification Project of Greenwood County", so that Section 4467 of the Code

of Laws of South Carolina, 1932, when so amended, shall read as follows:

"Section 4467. (1) There is hereby created a finance board for Greenwood County to be composed of the County Treasurer, County Supervisor, County Auditor, County Superintendent of Education, and a purchasing agent, hereinafter provided for, whose duty it shall be to conserve and protect the finances of the County, to scrutinize, verify and approve all proper claims, and reject and withhold its approval of any and all improper or unwarranted claims against the county; to keep in close touch with the roads of the county, not in the State Highway System, and aid in the buying of material and supplies for the county, and to look after, at all times, the general financial matters of the county. Said purchasing agent shall be bonded in the sum of Five Thousand (\$5,000.00) Dollars. *Provided*, the approval of three members of said board shall be conclusive on any matter.

(2) The approval of said finance board shall be necessary before any claim or voucher shall constitute a valid claim against Greenwood County; but when so approved and countersigned by the county supervisor and the purchasing agent same shall constitute a valid obligation against said county.

(3) Said finance board shall have authority to cancel and to purchase any bonds or obligations of Greenwood County when sufficient funds are available for such purpose and to sell any bonds owned and held by Greenwood County for the purpose of liquidating and retiring its indebtedness.

(4) In case of the failure of said finance board to agree upon any matter properly before it, the Greenwood highway commission and county board of commissioners shall be called in to decide such matter, and their decision shall be final as touching the matter under consideration.

(5) A purchasing agent for Greenwood County is hereby created as a member of said finance board to be appointed by the Governor, upon the recommendation of a majority of the members of the General Assembly of said County, to hold office for a term of two (2) years, and until his successor is appointed and qualified, whose duty shall be, under the direction of said finance board, to act as purchasing agent, for said county, in buying material, equipment, and supplies generally, and to conserve and protect the financial interests of Greenwood County and to act generally as a member of the finance board created by this section and to carry out its instructions, and

said purchasing agent shall also act as clerk of Greenwood County forfeited land commission and also clerk for sinking fund commission of said County, and as secretary of Greenwood Highway Commission, and for the duties required of him in this Section he shall receive such salary and expenses as shall be provided in the annual County Supply Act for said County. *Provided*, The said purchasing Agent shall occupy the Supervisor's office in the Court House; and he and the Supervisor of Greenwood County shall rearrange and alter said office for this joint occupancy.

(6) The finance board is hereby empowered to accept and hold all funds received from grants or the sale of revenue producing bonds and to keep such funds separate and apart from the general or ordinary funds of Greenwood County; and the said finance board is further authorized and empowered to designate a custodian for said fund, who shall furnish a Surety Bond in a sufficient amount to fully protect the interest of the County, and who shall hold said fund until legally disbursed by the order of a majority of said finance board of Greenwood County.

(7) That the Treasurer of Greenwood County is to account to the Finance Board for all funds in hand from grants or sale of Revenue Bonds, and, upon proper accounting, is to be given a release by the Finance Board on all of such matters. The Treasurer from the time of such accounting shall have no other responsibility for monies derived from such grants or revenue bonds other than as a member of the Finance Board. *Provided*, That the Treasurer is hereby authorized and directed, when requested by a majority of the Finance Board, to execute and deliver such revenue Bonds as may be necessary in connection with the Hydro-Electric Project in Greenwood County known as Buzzard Roost, and the Rural Electrification Project of Greenwood County. And the Treasurer from the time of the execution and delivery of such revenue bonds shall have no further liability as Treasurer of Greenwood County in corresponding with said revenue bonds other than his liability as a member of Finance Board".

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 16th day of April, 1937.

(326)

No. 194.

AN ACT to Enlarge the Powers of the Sanitary and Drainage Commission for Charleston County with Respect to Regulation of the Use of Roads and Highways in Said County, and the Elimination of Traffic Hazards.

Whereas, the Sanitary and Drainage Commission for Charleston County is now vested with the custody and control of all County highways, roads and bridges in Charleston County; and

Whereas, it is a suitable body to regulate the use of said highways, both to decrease traffic hazards and to preserve and protect the highways of said County, *Therefore*

Section 1. Further duties and powers of sanitary and drainage commission as to use of roads and highways and elimination of traffic hazards, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That in addition to all other powers and duties now vested in the Sanitary and Drainage Commission for Charleston County, there shall be vested in said Commission the following powers and authority:

(a) To provide for the erection of suitable signs warning all traffic to stop or to proceed with caution before entering a crossing or proceeding on any highway or road in Charleston County. The designation of the roads, the type of signs and the warning as to how to proceed or drive and at what speed to proceed or drive to be left to the absolute discretion of said Commission. The said signs or caution signals or warnings shall be prominently displayed along or over said highways, so as to give notice to vehicular traffic of the method of regulation of traffic desired. Any person, firm or corporation violating any of such regulations shall be deemed guilty of a misdemeanor and shall be punished as hereinafter provided for; *Provided, However*, it shall be first affirmatively proved that a sign, caution signal or warning, giving notice of the particular regulation shall have been prominently displayed.

(b) To regulate the brilliancy of any electrical, or gas light, advertisement or display sign within thirty feet of any highway or road in Charleston County. It is hereby declared that any electrical or gas light advertisement or display of undue or unusual brilliancy within thirty feet of any highway in Charleston County is a traffic hazard, menacing the safety of vehicular traffic on said highways. In order to decrease such hazards it shall be the duty of the said Sanitary and Drainage Commission for Charleston County to pass suitable regu-

lations preventing the erection and maintenance of any such sign of such undue or unusual brilliance. It shall be the further duty of said Commission to notify in writing by registered mail any person, firm or corporation responsible for the maintenance and operation of such signs, lights, advertisements or display signs, advising them that further maintenance or operation is prohibited. Continued maintenance and operation of such signs, lights, advertisements or display signs of undue or unusual brilliancy after notice shall be deemed a misdemeanor and punishable as hereinafter provided for.

(c) To pass suitable regulations so as to prevent improper or unsuitable drainage pipes being placed along the right of way of County roads. It shall be the duty of said Commission to supervise the installation and maintenance of drainage pipes placed along the right of way of County roads, where entrances to adjoining property are now or hereafter may be placed, so as to insure at all times adequate drainage facilities along the right of way of County highways or roads. The violation of such a regulation by any person, firm or corporation shall be deemed a misdemeanor and punishable as hereinafter provided for; *Provided, However*, it shall be first affirmatively proved that there was mailed to the person, firm or corporation, charged with a violation of such a regulation, notice of the insufficiency of the drainage pipe, by registered mail.

§ 3. Penalty.—Any person, firm or corporation violating any of the regulations authorized to be promulgated under the provisions of this Act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding One Hundred (\$100.00) Dollars or imprisonment for not exceeding ten (10) days.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(329)

No. 195.

AN ACT to Divide the State of South Carolina Into Zones for the Purpose of Game Protection, Propagation and Distribution.

Section 1. State divided into six game zones.—Be it enacted by the General Assembly of the State of South Carolina: That the State of South Carolina is hereby divided for the purpose of game into six (6) zones.

§ 2. **Zones.**—The first zone shall comprise the Counties of Greenville, Pickens and Oconee; the Second zone shall comprise the Counties of Anderson, Abbeville, Laurens, Greenwood, and McCormick; the third zone shall comprise the Counties of Newberry, Saluda, Edgefield, Aiken, Lexington, Richland and Calhoun; the fourth zone shall comprise the Counties of Spartanburg, Cherokee, Union, York, Chester, Fairfield, Lancaster and Kershaw; the fifth zone shall comprise the counties of Marlboro, Chesterfield, Darlington, Dillon, Marion, Horry, Florence, Lee, Sumter and Clarendon; the sixth zone shall comprise the Counties of Orangeburg, Barnwell, Bamberg, Allendale, Hampton, Jasper, Beaufort, Colleton, Dorchester, Berkeley, Williamsburg, Georgetown and Charleston. *Provided*, Union County shall be in the same zone as Spartanburg County.

§ 3. **Application of game laws.**—All laws of this State now in force affecting game, shall, until changed, apply to all of the zones of the State; and all laws of the State hereafter enacted shall apply to the entire State except where otherwise specified.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(330)

No. 196.

AN ACT to Authorize the Board of Directors of the Major Conservatory of Music to Confer the Degree of Bachelor of Music and Bachelor of Music in Public School Music and to Give Credit to Such Diplomas so Issued.

Section 1. Major Conservatory of Music confer certain degrees.—Be it enacted by the General Assembly of the State of South Carolina: The Board of Directors of the Major Conservatory of Music is authorized and empowered to confer the degree of Bachelor of Music or the degree of Bachelor of Music in Public School Music upon students who have completed the four year course prescribed by the Board of Directors on the basis of credits approved of and recommended by the State Board of Education. A diploma from the Major Conservatory of Music shall entitle the holder to be accredited by the State Board of Education in like manner as the diplomas are now accredited from other schools and colleges.

§ 2. All Acts or parts of Acts inconsistent with this Act. are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(331)

No. 197.**AN ACT to Fix the Salaries of the Members of the Sinking Fund Commission for Union County.**

Section 1. Sinking fund commission, Union County—salaries of members.—Be it enacted by the General Assembly of the State of South Carolina: That the salaries of the members of the Sinking Fund Commission for Union County, other than the Secretary-Treasurer, are hereby placed at Ten (\$10.00) Dollars per month. The payment of this amount as salary each month in the past by the Secretary-Treasurer of the Sinking Fund Commission for Union County, to each of the other two members of the Sinking Fund Commission for Union County is hereby validated and approved. Each of the members of the Sinking Fund Commission for Union County, other than the Secretary-Treasurer, shall receive Ten (\$10.00) Dollars per month as salary in the future. The Secretary-Treasurer of the Sinking Fund Commission for Union County shall pay these salaries and charge the same to the expenses of the Sinking Fund Commission.

§ 2. **Salary of secretary-treasurer.**—The Salary of the Secretary-Treasurer of the Sinking Fund Commission for Union County, is hereby placed at Thirty-five (\$35.00) Dollars per month. The payment of this amount as salary each month in the past is hereby approved and validated. The Secretary-Treasurer of the Sinking Fund Commission for Union County is hereby authorized to pay to himself this amount as salary each month and charge the same to expenses of the Sinking Fund Commission for Union County.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(332)

No. 198.

AN ACT to Repeal an Act Entitled "An Act to Provide for the Method of Election and Appointment of the Members of the Boards of School Trustees of Lexington County, and to Provide for the Number and Appointment of the Members of the County Board of Education of Said County", Known as Act No. 97 of the Acts of 1935.

Section 1. Act 97, 1935 Acts, repealed—appointment and election of school trustees and appointment and number of county board of education, Lexington County.—Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled "An Act to Provide for the Method of Election and Appointment of the Members of the Boards of School Trustees of Lexington County, and to Provide for the Number and Appointment of the Members of the County Board of Education of Said County", known as Act No. 97 of the Acts of 1935, be, and the same is hereby, repealed.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 16th day of April, 1937.

(337)

No. 199.

AN ACT to Amend an Act Entitled "An Act to Provide for the Nomination of Game Warden for Aiken County in the Primary Election", Approved April 27, 1933, so as to Provide for the Election in the Primary and Appointment of the Game Warden of Aiken County Under Certain Contingencies.

Section 1. Act 250, 1933 Acts, amended—game warden, Aiken County—election—appointment.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of an Act entitled "An Act to Provide for the Nomination of Game Warden for Aiken County in the Primary Election", approved April 27, 1933, be amended by adding the following at the end of said Section: "*Provided, Further,* That in the event of a vacancy occurring in the office of Game Warden by death, resignation, or otherwise where the unexpired term is for more than one year; or in case the person so nominated in the regular primary shall die before being commissioned by the Governor, the Governor shall ap-

point, in either event, the person nominated in the special primary election held for that purpose. In the event that the unexpired term is less than one year, the Governor shall appoint and commission as such Game Warden the person recommended by the majority of the Legislative Delegation from the County. *Provided, Further, That* the successor to the Game Warden whose term of office expires on February 21, 1937, shall be filled by appointment by the Governor after the appointee has been nominated in a special primary election to be held for that purpose"; so that when so amended the said Section shall read as follows:

"Section 1: In the regular Primary Election to be held for Aiken County in the year 1934, and every two years thereafter, a Game Warden shall be nominated for said County; and the person so nominated shall be appointed and commissioned by the Governor as Game Warden of Aiken County for the term provided by law: *Provided, A* majority of the delegation may recommend for appointment additional wardens for emergency work; *Provided, Further, That* in the event of a vacancy occurring in the office of Game Warden by death, resignation, or otherwise, where the unexpired term is for more than one year, or in case the person so nominated in the regular primary shall die before being commissioned by the Governor, the Governor shall appoint in either event the person nominated in the special primary election held for that purpose. In the event that the unexpired term is less than one year, the Governor shall appoint and commission as such Game Warden the person recommended by a majority of the legislative delegation from the County. *Provided, Further, That* the successor to the Game Warden whose term of office expires on February 21, 1937, shall be filled by appointment by the Governor after the appointee has been nominated in a special primary election to be held for that purpose, the date of any primary election referred to in Act to be fixed by the Democratic Executive Committee of the County, which shall also conduct such election as any other primary election."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 16th day of April, 1937.

(440)

No. 200.**AN ACT to Authorize Prisoners Awaiting Trial in Lee County to Work Upon the Chaingang Under Certain Conditions, to Provide Compensation Therefor and Prescribe the Duties of Certain Officers with Respect Thereto.**

Section 1. Certain persons in jail work on chaingang, Lee County.—Be it enacted by the General Assembly of the State of South Carolina: Any able bodied male person who may be now confined in or hereafter committed to jail in Lee County in default of bond may signify his willingness in writing to serve upon the County chaingang until the next term of Court of General Sessions, whereupon the County Board of Commissioners shall take custody of him, if his services are needed and desirable upon the public works of the County, and be responsible for his safe-keeping; *Provided*, Any such prisoner may be returned to jail at any time by the County Board of Commissioners.

§ 2. Receive credit on sentence or pay.—The number of days so served by any prisoner shall be certified to the Presiding Judge before whom he appears by the County Board of Commissioners, and upon a plea of guilty or conviction of the crime charged, the Court shall, in passing sentence, take into consideration the time served; and upon acquittal or *nol pros* any such prisoner shall be entitled to collect from the County forty (40¢) per day for every day so served.

§ 3. Liability.—The Sheriff shall not be responsible for the safety of any prisoner so voluntarily serving upon the chaingang while awaiting indictment and/or trial; and there shall be no liability upon the county of any kind or nature to any person on account of the working of prisoners, as above provided, except to pay the amount hereinabove prescribed to such prisoners so working who do not subsequently plead guilty or suffer conviction in the Court.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 30th day of April, 1937.

(441)

No. 201.

AN ACT to Repeal Act No. 902 of the Acts of the General Assembly for the Year 1936 and Act No. 802 of the Acts of the General Assembly for the Year 1934; and to Amend Subdivision 1 of Section 6333, Code of Laws of South Carolina, 1932, with Reference to Licensing Carnivals and Traveling Tent Shows in Darlington County.

Section 1. Acts 802, 1934 Acts, and 902, 1936 Acts, repealed—exhibiting of carnivals and traveling shows, Darlington County.—

Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled “An Act to Repeal Act No. 802 of the General Assembly of 1934, Concerning Carnivals and Traveling Shows in Darlington County”, approved June 5, 1936, and designated as Act No. 902 of the Acts of the General Assembly for the year 1936, and an Act entitled “An Act to Amend Section No. 6333, Volume III, Code of Laws of South Carolina, 1932, so as to Permit the Licensing of Carnivals and/or Traveling Shows under Certain Conditions in Darlington County” approved March 23, 1934, and designated as Act No. 802 of the Acts of the General Assembly for the year 1934, be, and the same are, hereby repealed.

§ 2. § 6333, 1932 Code, amended—exhibiting of carnivals and traveling shows, Darlington County.—That subdivision 1 of Section 6333, Code of Laws of South Carolina, 1932, be, and the same is, hereby amended by adding the following proviso at the end of the said subdivision:

“Provided, That not more than one carnival or traveling show may exhibit under the auspices of the Darlington County Fair, and one under the auspices of the Hartsville Fair, one in Lamar, one under the auspices of the Darlington County Colored Fair, one under the auspices of the American Legion at Darlington, and one under the auspices of the American Legion at Hartsville, during any calendar year; Provided, Further, That it shall be the duty of the Sheriff of Darlington County and/or his deputies to enforce the provisions of this Act with respect to such County, and failure to do same shall constitute cause for removal from office. That no game of chance of any nature shall be permitted at any carnival or traveling show in Darlington County.” so that, when so amended, the said subdivision 1 of said Section 6333 shall read as follows:

"Section 6333. (1): No carnivals and no traveling shows exhibiting under tents shall be allowed licenses, or allowed to exhibit within this State: *Provided*, That the provisions of this section shall not apply to circuses, which may be licensed for a time not exceeding forty-eight hours at one place in any one year: And *Provided, Further*, That the provisions of this section shall not apply to chautauquas, and carnivals at State and county fairs: *Provided*, That only carnivals to which no games of chance or gambling devices are attached shall be allowed to exhibit in this State: *Provided*, This shall not apply to dog and pony shows. And *Provided, Further*, That the provisions of this section shall not apply to the City of Camden in the county of Kershaw, during the time that horse show is held thereat, but at other times this section shall apply: And *Provided, Further*, That in Horry County the provisions of this section shall not apply to any community fair, or any fair exhibition or other exhibition under the control of the American Legion, or other eleemosynary association of said county, and shall not apply to any summer or beach resort in the county: And *Provided, Further*, That the provisions of this section shall not apply to the cities of Beaufort, Georgetown and Lancaster and the counties of Beaufort, Georgetown and Lancaster during the time that any celebration, fairs or amusements are held in said cities or counties under the sponsorship of the American Legion; *Provided*, That not more than one carnival or traveling show may exhibit under theauspices of the Darlington County Fair, and one under the auspices of the Hartsville Fair, one in Lamar, one under the auspices of the Darlington County Colored Fair, one under the auspices of the American Legion at Darlington, and one under the auspices of the American Legion at Hartsville, during any calendar year; *Provided, Further*, That it shall be the duty of the Sheriff of Darlington County and/or his deputies to enforce the provisions of this Act with respect to such County, and failure to do same shall constitute cause for removal from office. That no game of chance of any nature shall be permitted at any carnival or traveling show in Darlington County."

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(342)

No. 202.

AN ACT to Amend that Part of Section 2296, Volume 2, Code of Laws of South Carolina, 1932, Relative to Pickens County, as Amended by Act 747 of the Acts of the General Assembly, 1934, Approved March 13, 1934, and by Act 869 of the Acts of the General Assembly, 1934, Approved April 7, 1934, and by Act 620 of the Acts of the General Assembly 1936, Approved February 10, 1936, by Striking Out that Part of Said Section and Inserting in Lieu Thereof a New Part of Said Section, Providing for Voting Precincts in Pickens County.

Section 1. § 2296, 1932 Code, amended—voting precincts, Pickens County.—Be it enacted by the General Assembly of the State of South Carolina: That, that part of Section 2296, Vol. 2 Code of Laws of South Carolina, 1932, Relative to Pickens County, as amended by Act 747 of the Acts of the General Assembly, 1934, Approved March 13, 1934, and by Act 869 of the Acts of the General Assembly 1934, Approved April 7, 1934, and by Act 620 of the Acts of the General Assembly 1936, Approved February 10, 1936, by striking out all of that Part of Said Section and inserting in lieu thereof a new Part of Said Section Providing for Voting Precincts in Pickens County, known as Section 2296 of Volume 2 Code of Laws of South Carolina, 1932 to read as follows:

“Section 2296. In Pickens County there shall be voting places as follows:

Easley, Central, Liberty, Pickens Court House, Dacusville, Cateechee, Pumpkintown, Cross Plains (at Hester's Store) Peter's Creek (at Peter's Creek School House), Mile Creek (at Mile Creek Church), Prater's (at Bolding's Gin), Six Mile (at Six Mile Church), Calhoun, Holly Springs (at Holly Springs Church), Loopers Gin, Croswell School House, Pleasant Grove (in Pumpkintown Township), Norris, Easley Cotton Mill, Glenwood Cotton Mill, Alice Mills, Arial Mill, Rocky Bottom (at Rocky Bottom School House), Flat Rock (at Flat Rock School House), Pickens Cotton Mills, near Pickens Court House, Antioch (at Antioch School House), Eastatoe (at Eastatoe School House), Issaquenna Mill, at Central, Easley Mill No. 2 at Liberty, Cross Roads, Griffin's, Zion School House, Durham's Store Shady Grove and Easley Mill No. 3 at Liberty.”

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 16th day of April, 1937.

(344)

No. 203.

AN ACT to Amend Section 3373, Volume II, Code of Laws of South Carolina, 1932, by Increasing the Fee to be Paid the County Treasurer as Provided Therein.

Section 1. § 3373, 1932 Code, amended—fee of county treasurer sell fisheries tax stamps and tags and collect licenses and rents.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3373, Code of Laws of South Carolina, be and the same is, hereby amended by striking out on line 5 of said section the following: "three (3)" and inserting in lieu thereof the following: "five (5)"; so that said Section when so amended shall read as follows:

"Section 3373: It shall be the duty of the County Treasurer to sell fisheries tax stamps and tags, and receive and collect all licenses and rents for leased bottoms and report all such receipts, sales and collections to the board of fisheries at the end of each month on forms furnished by the board, and also to report any defaults in the payment of rents of bottoms, and for such services he shall receive five (5) per cent of the amount of such sales and collections. And he shall deposit all such collections with the State Treasurer."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(349)

No. 204.

AN ACT to Create a Board of Police Commissioners to Provide Revenue or a Source of Revenue for the Purpose of Paying Insurance and Annuity Benefits to the Peace Officers of the State of South Carolina.

Section 1. Board of commissioners of the police insurance and annuity fund of the state of South Carolina.—Be it enacted by the General Assembly of the State of South Carolina: That in order to raise and manage funds for the granting of insurance and

annuities to the peace officers of the State of South Carolina, and to perform the duties as fixed by this Act, there is hereby created a Board to be known as the "Board of Commissioners of the Police Insurance and Annuity Fund of the State of South Carolina", said Board shall consist of six (6) members, one from each Congressional District, who shall be elected by and from the membership of the South Carolina Peace Officers' Association, an eleemosynary institution, at an annual meeting of said Association. The members of said Board shall be elected for terms of two (2) years each, and shall hold office until their successors are elected and commissioned by the Governor as provided herein. All vacancies on said Board caused by death, resignation or otherwise, shall be filled by the remaining members of said Board, and shall hold office until his position is filled by a proper election of the South Carolina Peace Officers' Association at a regular annual meeting thereof.

§ 2. Organization—employees—quorum.—That within thirty (30) days after the passage of this Act, or as soon thereafter as is practicable, the organization of said Board shall be perfected by the selection from its members of a chairman, vice-chairman, secretary, and treasurer, and such other employees as in the opinion of the Board may be necessary to the proper handling of the business. The majority of the members of said Board shall constitute a quorum for the purpose of the transaction of the business of the Board.

§ 3. Control and manage funds.—That the Board of Commissioners organized as herein provided shall have control over the funds derived from the provisions of this Act, and it shall continue to receive and require the deposit of them as received to the credit of the said fund. That the said Board may invest the said fund in interest-bearing bonds of the United States, of the State of South Carolina and its political subdivisions, or may in its discretion invest the said fund in first mortgages on improved property worth twice the amount so loaned; or the said Board may invest the said funds in other bonds deemed by it most advantageous to the proper preservation and increase of said fund.

§ 4. Disbursements—insurance and annuities—perjury.—The said Board of Commissioners shall have control of all payments to be made from such fund. It shall hear and decide all applications for insurance and annuities created and allowed under this Act, and shall have the power to make all necessary rules and regulations for its government and for the employees in the proper discharge of their duties; it shall have the power to make decisions on applications

for insurance and annuities and its decision thereon shall be final and conclusive and not subject to review or reversal except by the Board itself; it shall cause to be kept a record of all of its meetings and proceedings. Any person who shall willfully swear falsely in any oath or affirmation for the purpose of retaining or procuring any insurance or annuities as herein provided, or payment thereof, under the provisions of this Act shall be guilty of perjury.

§ 5. **Records.**—There shall be kept in the office of the said Board of Commissioners by the secretary, records which shall give a complete history and record of all actions of the Board of Commissioners in granting insurance and annuities. Such records shall give the name, date of the beginning of his service as a peace officer, and of his incapacity, and the reason therefor. All records, papers, and other data shall be carefully preserved and turned over to the succeeding officers or board members.

§ 6. **Report annually.**—That on or before the 1st. day of January of each year the said Board of Commissioners shall make to the Governor of the State of South Carolina and the General Assembly a verified report containing a statement of all receipts and disbursements, together with the name of each beneficiary, and the amount paid to each beneficiary, for or on account of such fund. That said detailed statement shall also include investments made by the said Board and the securities held in hand therefor; that the General Assembly of the State of South Carolina, or the Governor thereof, shall have the right and is empowered at any time to make or cause to be made an examination by a competent auditor of the condition of said fund.

§ 7. **Gifts and grants.**—That the Board of Commissioners of the said fund may take by gift, grant, devise or bequest, any money, real or personal property, or other thing of value and hold or invest the same for the uses of said fund in accordance with the purposes of this Act.

§ 8. **Pro rate benefits.**—In case the amount derived from the different sources mentioned and included in this Act shall not be sufficient at any time to enable the said Board of Commissioners to pay each person entitled to the benefits thereof, in full, the insurance granted, or annuity allowed, then an equitably graded percentage of such monthly payment or payments shall be made to each beneficiary until said fund shall be replenished sufficiently to warrant the resumption thereafter of such insurance or annuity pay to each of said beneficiaries.

§ 9. Peace officers defined.—Peace Officers, as the term is used in this Act, means all peace officers of the State of South Carolina or subdivisions thereof, who are required by the terms of their employment, whether by election or appointment, to give their time to the preservation of public order, the protection of life and property, and the detection of crime in the State of South Carolina.

§ 10. South Carolina peace officers' association—peace officers join—dues—use of dues.—Peace Officers who may be entitled to membership and who might become eligible to receive benefits under this Act shall make application for membership in the South Carolina Peace Officers' Association on blanks to be furnished for that purpose, giving such information as may be required by said Association, and shall pay annual dues to be fixed by the governing authorities of said Association, *Provided, However,* That such dues shall not exceed the sum of Twelve (\$12.00) Dollars per annum. No officer or employee of the said association shall be paid any salary from the proceeds of these annual dues, all of which shall be paid over to the Treasurer of the Board of Commissioners of the Police Insurance and Annuity Fund of the State of South Carolina, and be used entirely for payment of benefits and insurance as provided in Section 12, 13 and 14 and for no other purposes.

§ 11. Board receive \$1.00 from each of certain criminal actions.—That in all criminal actions, whether in the Municipal Courts, Magistrate Courts or Courts of General Sessions, in the State of South Carolina wherein a bond is forfeited or wherein a plea of guilty is entered by the defendant, or shall be adjudged guilty by the courts, or found guilty by a jury, wherein a fine is imposed by the Presiding Judge, Magistrate, Mayor, Recorder, or Intendant, or anyone acting in their stead, of any town or city, the sum of One (\$1.00) Dollar shall be deducted from such fine, except where the said fine so imposed does not exceed the sum of One (\$1.00) Dollar, and that the said sum of One (\$1.00) Dollar deducted as herein provided shall be paid on the first day of each calendar month by the person collecting same to the Treasurer of the Board of Commissioners of the Peace Officer's Insurance Annuity Fund of the State of South Carolina.

§ 12. Use funds provide benefits for certain peace officers.—That the money so paid into the hands of the Treasurer of the Board of Commissioners of the Peace Officers' Insurance and Annuity Fund of the State of South Carolina, shall be used for purposes as follows: Upon a proper application being presented upon a form to be pre-

scribed by the said Board for annuity benefits, and upon the same having been properly passed on, and favorably granted, then the said Treasurer shall pay monthly the sum of sixty (60) per cent. of the average monthly salary received by said applicant over a six (6) months period immediately prior to making application therefor; *Provided, However,* That the said applicant has had twenty (20) years service as a peace officer in South Carolina; the sum of seventy (70) per cent. of the average monthly salary received by the applicant over a six (6) months period immediately prior to making such application shall be paid, *Provided* he has served twenty-five (25) years in South Carolina, as a peace officer; and the sum of eighty (80) per cent. of the average monthly salary received by the applicant over a six (6) months period immediately prior to making application therefor, provided he has had thirty (30) years service as a peace officer in South Carolina. No person shall be eligible for benefits hereunder unless he be at the time of making application therefor actively engaged as a peace officer in the State of South Carolina, and is fifty-five (55) years of age at the time said annuity is granted.

§ 13. Benefits when peace officer disabled.—Should a peace officer of South Carolina become disabled, after having continuously served five (5) years as a peace officer in South Carolina, the Treasurer of said Board will pay, upon a proper application being made therefor, sixty (60) per cent of the average monthly salary received by said applicant over a six (6) months period immediately prior to making application therefor, and continue the payment thereof during such disability. Should a peace officer who is not eligible to receive an annuity be granted disability benefits and then regain his health and it is satisfactorily proven that he is physically and mentally able to perform his duties as a peace officer, the Board may order his disability insurance benefits discontinued. All persons entitled to disability insurance benefits under this Act shall make application therefor to the Board of Commissioners upon the forms provided therefor, and the said Board of Commissioners shall investigate each application and determine whether or not such applicant is eligible to receive disability insurance benefits hereunder.

§ 14. Death benefit.—After a peace officer has served continuously as an active peace officer in South Carolina for a term of five (5) years, he will be issued a certificate whereby the Board will agree to pay the sum of One Thousand (\$1,000.00) Dollars to a designated beneficiary upon the death of said officer; *Provided, That*

at the time of his death he is still in active service or is an annuitant as herein provided.

§ 15. Treasurer—bond—reports.—The Treasurer shall give good and sufficient surety in such an amount as may be determined by the Board of Commissioners, and such surety Bond shall be conditioned upon the proper and faithful performance of his duties as such Treasurer, and to indemnify the Board for any losses on account of defaultation or otherwise; That the said Treasurer shall make quarterly reports to the Board of Commissioners showing the total amount of money in his hands at the time of the filing of the report, and also show a full accounting of receipts and expenditures since his last quarterly report.

§ 16. Time pay benefits.—No benefits shall be payable under the provisions of this Act until and after One (1) year from the date of the passage of this Act and its approval by the Governor of the State of South Carolina.

§ 17. Subject to legislative changes.—All rights and benefits provided herein shall be subject to future legislative change or revision and no beneficiary shall be deemed to have any vested right thereto.

§ 18. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 19. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(351)

No. 205.

AN ACT to Provide for Alternate Jurors to be Drawn and Serve in Case of Illness or Death or Other Disability of a Member of a Jury Panel.

Section 1. Alternate jurors for circuit courts.—Be it enacted by the General Assembly of the State of South Carolina: That hereafter, whenever in the opinion of a Presiding Judge of a Court of Common Pleas or General Sessions of any County of this State, about to enter upon the trial of a civil or criminal case, the trial is likely to be a protracted one, the Court may cause an entry to that effect to be made in the minutes of the Court, and, immediately after the jury is empanelled and sworn, the Court shall direct the calling of one or two additional jurors, in its discretion, to be known as

alternate jurors. Such jurors must be drawn from the same source and in the same manner, and have the same qualifications as the jurors already sworn, and be subject to the same examination and challenge; *Provided*, That in criminal cases the prosecution shall be entitled to one and the defendant to two pre-emptory challenges for each such alternate juror; and in civil cases, each party shall have one strike for each alternate juror. Such alternate jurors shall sit near the jury panel charged with the case, and shall have the same opportunities for seeing and hearing the proceedings in the case, and shall take the same oath as the jurors already sworn and must attend at all times the trial of the cause in company with the other jurors. They shall obey the orders of, and be bound by, the admonition of the Court upon each adjournment of the Court; and, if the regular jurors are ordered to be kept in custody by the Court during the trial of the cause, such alternate jurors shall also be kept in confinement with the other jurors, and, except as hereinafter provided, shall be discharged upon the final submission of the case to the jury. If, before the final submission of the case to the jury, a juror thereon dies or becomes so ill or disabled as to be unable, in the judgment of the Court, to perform his duties thereon, the Court shall order him to be discharged, and draw the name of one of the alternates (if more than one) by ballot, to serve in his place throughout the remainder of the proceedings, being subject to the same rules and regulations as apply to the remainder of the jurors, just as though he had been one of the original jurors. If there be but one alternate, then he shall be placed upon the jury panel for all further proceedings in such cause.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(356)

No. 206.

AN ACT to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Commodities Under a Distinguishing Trade-Mark, Brand or Name.

Section 1. Definitions.—Be it enacted by the General Assembly of the State of South Carolina: The following terms, as used in this Act, are hereby defined as follows:

- (a) "Commodity" means any subject of commerce.
- (b) "Producer" means any grower, baker, maker, manufacturer, bottler, packer, converter, processor or publisher.
- (c) "Wholesaler" means any person selling a commodity other than a producer or retailer.
- (d) "Retailer" means any person selling a commodity to consumers for use.
- (e) "Person" means an individual, corporation, partnership, association, joint stock company, business trust, or any unincorporated organization.

§ 2. Provisions contain in contract for sale or resale of commodity bearing trade-mark, brand, or name of producer, distributor or owner.—No contract relating to the sale or resale of a commodity which bears, or the label or container of which bears, the trademark, brand or name of the producer, distributor or owner of such commodity, and which is in fair and open competition with commodities of the same general class produced by others, shall be deemed in violation of any law of the State of South Carolina by reason of any of the following provisions which may be contained in said contract.

(a) That the buyer will not resell such commodity at less than the minimum price stipulated by the vendor.

(b) That the producer or vendee of a commodity require upon the sale of such commodity to another that such purchaser agree that he will not, in turn, resell at less than the minimum price stipulated by such producer or vendee. *Provided*, That such provisions in any contract shall be deemed to contain or imply conditions that such commodity may be resold without reference to such agreement in the following cases:

(a) In closing out the owner's stock for the purpose of discontinuing dealing in such commodity; *Provided*, however, that such stock is first offered to the producer or distributor of such stock at the original invoice price, at least ten days before such stock shall be offered for sale to the public.

(b) When the goods are damaged or deteriorated in quality and one week's notice is given to the public thereof by publication in a newspaper published in the county where the seller's place of business is located.

(c) By any officer acting under the orders of any court.

§ 3. Unfair competition.—Wilfully and knowingly advertising, offering for sale or selling any commodity at less than the price

stipulated in any contract entered into pursuant to the provisions of this Act, whether the person so advertising, offering for sale or selling is or is not a party to such contract is unfair competition and is actionable at the suit of any person damaged thereby.

§ 4. **Contracts exempted.**—This Act shall not apply to any contract or agreement between producers, or between wholesalers, or between retailers as to the sale or resale prices.

§ 5. **Invalidity.**—If any provision of this Act is declared unconstitutional it is the intent of the Legislature that the remaining portions thereof shall not be affected but that such remaining portions remain in full force and effect.

§ 6. **Repeal.**—All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

§ 7. **Short title.**—This Act may be known and cited as "The Fair Trade Act."

§ 8. **Time effective.**—This Act shall become effective immediately upon its approval by the Governor.

Approved the 23rd day of April, 1937.

(357)

No. 207.

AN ACT to Require a License for Anglers in This State.

Section 1. License required fish in fresh water with fly rod, casting rod, artificial bait, etc.—Be it enacted by the General Assembly of the State of South Carolina: That hereafter it shall be unlawful for any person to fish in fresh water of this State by use of a fly rod, casting rod, artificial bait or any manufactured tackle or equipment other than ordinary hook and line, unless he has first obtained an angler's license.

§ 2. **License fee—use of receipts.**—The license as provided for fishing in this State shall be one dollar and ten cents (\$1.10) per calendar year; ten (10¢) cents of which shall go to the Agent issuing said license, and the remaining funds from the sale of which shall be used solely for the rearing, protection, propagation and distribution of fish, and the publicity and dissemination of information of facts and findings as may in the opinion of the Fish and Game Commission and the Chief Game Warden, be deemed wise and expedient for the improvement and betterment of this Act.

§ 3. **Button and license—display.**—All persons applying for a license shall receive a button and such license as may be provided; and every person shall, while fishing, carry conspicuously displayed on

his person the said button and carry on his person said license, and shall show his license to any officer upon demand, and the license must correspond to the button as to serial number.

§ 4. **Pay revenues and fines to state treasurer.**—All revenues and fines arising from this Act shall be paid over to the State Treasurer and placed to the credit of the Game Protection Fund.

§ 5. **Chief game warden provide for furnishing buttons and licenses.**—The Chief Game Warden of the State shall provide for the furnishing of buttons and licenses under the terms of this Act in accordance with the provisions now in force concerning hunting licenses.

§ 6. **Penalty.**—Any one convicted of violating any of the provisions of this Act shall be sentenced to pay a fine of not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, or serve not less than ten (10) days or more than thirty (30) days.

§ 7. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 8. This Act shall become effective ten days after its approval by the Governor.

Approved the 21st day of April, 1937.

(358)

No. 208.

AN ACT to Amend an Act Entitled "An Act to Amend Section 7381, Volume 3, Code of Laws of South Carolina, 1932, Exempting the City of Chester from the Provisions Thereof", Known as Act No. 613, of the Acts of 1936, Approved January 22, 1936, to Exempt the Town of Elloree from the Provisions Thereof.

Section 1. § 7381, 1932 Code, amended—town of Elloree exempted.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 613 of the Acts of 1936, approved January 22, 1936, entitled "An Act to Amend Section 7381, Volume 3, Code of Laws of South Carolina, 1932, Exempting the City of Chester from the Provisions Thereof", be, and the same is hereby, amended by adding at the end of Section 1, of said Act No. 613, the following: "Provided, Further, That such election shall not be necessary in the case of the Town of Elloree, County of Orangeburg, which may by ordinance of the Town Council adopt the provisions of 7374 to 7379, both inclusive, at any time after the taking effect

of this amendatory Act" so that said section when so amended shall read as follows:

"Section 1: Amend Section 7381, Volume 3, Code of Laws of South Carolina, 1932, by adding the following provisions at the end of said section: "*Provided, However,* That such election shall not be necessary in the case of the City of Chester, which may by ordinance of the City Council adopt the provisions of Sections 7374 to 7379 both inclusive, at any time after the taking effect of this amendatory Act," so that when so amended said Section shall read as follows:

"Section 7381: That the provisions of Section 7374 to 7379, both inclusive, shall not apply or become operative in any city or town until submitted to the qualified electors thereof by the City or Town Council for approval, and a majority of the qualified electors voting on the question of its approval vote in favor at any general municipal election or at any special municipal election (whether called and held for that purpose only or not) when the question of the said approval of said election is submitted and voted on separately and the ballots thereon deposited in a separate box properly labeled and provided for that purpose; *Provided, That* such election shall not be necessary in the case of the City of Chester which may by ordinance of the City Council adopt the provisions of Sections 7374 to 7379, both inclusive, at any time after the taking effect of this amendatory Act. *Provided, Further,* That such election shall not be necessary in the case of the Town of Elloree, County of Orangeburg, which may by ordinance of the Town Council adopt the provisions of 7374 to 7379, both inclusive, at any time after the taking effect of this amendatory Act."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act to take effect on March 15, 1937.

Approved the 21st day of April, 1937.

(360)

No. 209.

AN ACT to Create a Financial Board to Protect the Credit and Finances of Union County; to Provide for the Election and to Fix the Term of Office of the Members of Said Board; and to Prescribe the Powers and Duties of the Said Financial Board.

Section 1. Board of finance, Union County—election—term—vacancy.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby created and established a Board of Finance of Union County. The said Board of Finance of Union County shall be composed of three members, elected by a majority of the Union County Legislative Delegation in the General Assembly, for a term of six years. Immediately after they shall be assembled in consequence of the first election, they shall be divided into three classes. The member of the first class shall vacate his office at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by death, resignation or otherwise, the successor shall be elected by the other two members of the Board of Finance to serve for the remainder of the unexpired term

§ 2. Time terms start—authority assume duties and powers.—The initial terms of office of the members of the said Board of Finance shall commence on July 1, 1937, and a written statement signed by the members of the Union County Legislative Delegation and directed to the County Treasurer and Supervisor certifying the names of the persons elected to the said Board of Finance shall constitute sufficient authority for such members to assume the powers and enter upon the duties of the said Board of Finance as hereinafter set forth.

§ 3. Time terms end.—Each member of the said Board of Finance shall hold office until his successor qualifies in the manner set forth in Section 2 hereof.

§ 4. Survey progress of collection of revenues and expenditure of funds.—The Board of Finance shall have full power and authority to survey the progress of the collection of revenues and the expenditure of funds by Union County.

§ 5. County treasurer and supervisor report monthly.—The County Treasurer and Supervisor are hereby authorized and directed to furnish once each month each member of the Board of Finance with a complete report containing the following statements:

(a) The amount appropriated by the Legislative Delegation for the current fiscal year for the operation of each account and/or item in the current County Supply Act.

(b) The amount expended during the current fiscal year for the operation of each account and/or item in the current County Supply Act.

(c) The amount expended during the previous month for the operation of each account and/or item in the current County Supply Act.

(d) The amount unexpended and remaining in each item and account of the current County Supply Act.

(e) The total amount appropriated in the current Supply Act for the operation of Union County.

(f) The total amount expended during the current fiscal year for the operation of Union County.

(g) The total amount expended during the previous month for the operation of the entire government of Union County.

(h) The total amount unexpended in the current Supply Act.

(i) Any other information relating to the financial affairs and/or government of Union County that the said Board of Finance or any member thereof may request.

§ 6. County treasurer and supervisor report on finances.—The County Treasurer and Supervisor shall at all times furnish the said Board of Finance and/or any member thereof with any information regarding the finances of Union County upon request therefor by the said Board of Finance and/or any member thereof.

§ 7. Appropriations in supply acts—overdraw.—The union County Supply Act for the fiscal year beginning July 1, 1937, and all County Supply Acts thereafter, shall set forth the appropriation for each item and/or account contained therein. No appropriation for any account and/or item contained in the Union County Supply Act for the fiscal year beginning July 1, 1937, and all Union County Supply Acts thereafter, shall be overdrawn except by unanimous consent and approval in writing of the said Board of Finance. Such unanimous consent and approval shall be obtained only at an executive meeting of the said Board of Finance at which all three members thereof are present, otherwise it shall not be construed an executive meeting. In order for any authorization of overdraft in the current County Supply Act to be valid each member of the said Board of Finance shall certify in writing that an Executive meeting of the said Board of Finance was held, that all three members thereof were present at such meeting, and that all three members of said Board of Finance agreed to such overdraft.

§ 8. Reduce certain items.—The Board of Finance is authorized and empowered by unanimous vote to reduce any and all items and/or accounts, except the salaries of county employees and/or

appropriations for debts incurred prior to July 1, 1937, in the current County Supply Act.

§ 9. **Transfer surpluses.**—The Board of Finance is authorized and empowered by unanimous vote to transfer any surplus that may exist in any account and/or item in the current County Supply Act to any other account and/or item in the current County Supply Act that has been overdrawn by the said Board. of Finance.

§ 10. **Compensation.**—The membership on the said Board of Finance shall be purely honorary and no compensation and/or expenses shall be paid for such patriotic services to any member of the said Board of Finance.

§ 11. **Purpose.**—That the purpose of this Act is to prevent the over-expenditure of any appropriation contained in any future Union County Supply Act, and to prevent any new deficit accruing to Union County due to overdrafts in various accounts, and to eventually pay off all past indebtedness, and to place Union County on a pay-as-you-go cash basis.

§ 12. **Repeal.**—All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 13. **Time effective.**—This Act shall take effect July 1, 1937.

Approved the 21st day of April, 1937.

(361)

No. 210.

AN ACT to Require Each and Every Employer of Greenville County, South Carolina, Either Corporate or Private, to File with the County Auditor of Greenville County, Within Sixty (60) Days After the Approval of the Act by the Governor in 1937, and During the Months of January and February of Each Year Thereafter, a Certified List of All Male Employees Employed by Them as of January 1st of Each Year, Showing the Name, Address, Age and Length of Time Employed, and to Fix the Penalty for Non-Compliance with This Act.

Section 1. Employers file list of certain male employees annually with auditor, Greenville County—time.—Be it enacted by the General Assembly of the State of South Carolina: That each and every employer within Greenville County, whether corporate or private, shall file with the County Auditor of Greenville County, a list of all male employees between the ages of twenty-one and sixty years, employed by them on January first of each year, showing the

names, addresses, ages and periods of employment. Said report shall be filed by the Manager, Secretary or Treasurer in the case of a corporation, or by the Employer himself in the case of a private employer, and shall be signed and sworn to before a Notary Public for the State of South Carolina. The said report for the year 1937 shall be filed within sixty (60) days after the approval of this Act by the Governor, and shall give the information above set out as to the employees as of January 1, 1937; the reports shall be filed during the months of January and February of each year thereafter.

§ 2. Purpose.—It is the purpose of this Act to furnish to the Auditor of Greenville County a certified list of all male employees between the ages of twenty-one and sixty years, in order that the Auditor may be able to place upon the tax books of Greenville County the names of all men liable for poll and road taxes within Greenville County.

§ 3. Penalty.—Any employer failing to comply with the terms of this Act shall be liable to a fine of not more than \$300.00 or less than six months imprisonment, or both in the discretion of the Court.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 21st day of April, 1937.

(366)

No. 211.

**AN ACT to Provide for the Creation of Municipal Corporations
at Resort Communities in South Carolina.**

Section 1. Definitions.—Be it enacted by the General Assembly of the State of South Carolina: That the term "resort community" as hereinafter used is defined as an area of not less than one square mile, devoted primarily to resort purposes, having a population of not less than three hundred inhabitants, and as to which area the non-resident freeholders shall exceed in number the resident electors and no part of which area shall be included within the limits of a regularly incorporated municipality.

"Non-resident freeholder" is defined as one having legal residence without the resort community but within the State and vested with title to real estate within the resort community.

§ 2. Petition incorporate resort community in municipal corporation—election.—Upon the filing with the Secretary of State of a petition signed by not less than twenty-five free-hold voters, setting forth that the area, which shall be particularly described in the petition, is a resort community, that within such community there are the number of resident electors and non-resident freeholders as above required and that the petitioners desire that said resort community shall be incorporated as a municipal corporation under the terms of this Act and any and all amendments thereto, the Secretary of State shall issue a commission to not more than ten (10) commissioners, citizens of said proposed town, empowering them to procure the proper registration of electors of the community within the proposed corporate limits, and to advertise an election and to appoint managers to conduct the same, which election shall be conducted as all other municipal elections except as herein modified, and at such election the vote shall be taken on the following questions: (1) corporation, the vote being “yes” or “no”, and (2) name of municipality if the same shall be incorporated.

§ 3. Advertisement of election.—The advertisement referred to in Section 2 of this Act shall consist of public notice once a week for three (3) consecutive weeks next preceding the election in a newspaper of general circulation in the County or Counties in which the resort community is located, shall particularly describe the area and shall state the time and place or places at which the polls will be opened and the questions upon which the vote will be taken. In addition thereto, the commissioners, not later than the date of first publication, shall mail printed or typewritten copies of the published notice to all non-resident freeholders whose names and addresses can with due diligence be procured.

§ 4. Non-resident electors vote—ballots—result.—At the election referred to in Section 2, non-resident freeholders who are qualified electors at their places of residence shall be entitled to vote, upon their production of proof that they are qualified to vote at their places of residence. Non-resident freeholders shall be privileged, if they desire, to file with the managers of election the proof of their qualification in advance of the election and to vote in said election in the manner in which absentee voting is permitted by law in primary elections insofar as the same may be applicable. The commissioners are charged with the duty of making all necessary provisions for furnishing such ballots as may be requested by those so desiring to

vote and making all necessary arrangements to receive and tabulate such votes. The managers of elections shall tabulate and report separately the result of the votes cast by resident electors and non-resident freeholders.

§ 5. Return of election.—The managers of election shall forthwith make a sworn return of the result of said election to said commissioners, who shall thereupon make a return to the Secretary of State attaching thereto as a part thereof the return made by the managers.

§ 6. Name.—In the event that the election is favorable to incorporation, the name of the municipality shall be that name which receives the highest number of votes cast at the election.

§ 7. Council — mayor — certificate of incorporation.—If the election is favorable to incorporation, as soon as practicable after the return has been filed with the Secretary of State, the Governor, by and with the advice and consent of the Senate, shall appoint five (5) persons, three (3) of whom shall be registered electors within the area and two (2) of whom shall be non-resident freeholders thereof, which persons shall be known as the Town or City Council. From those so appointed, one shall be chosen by the appointees as Mayor. Upon the appointment of the Town or City Council and the subsequent choice of Mayor, the Secretary of State shall issue a certificate of incorporation of said town under this Act, whereupon it shall have all the powers, privileges and immunities and be subject to all the liabilities and limitations of towns and cities having a similar resident population, except as in this Act provided. The three registered electors to be appointed as aforesaid may be nominated in a primary held in accordance with the law relating to primary elections, and such nomination shall be deemed a recommendation to the Governor; and this provision shall be applicable to the successors of such initial appointees.

§ 8. Mayor and council—terms—vacancy.—The initial appointments by the Governor shall be, as to registered electors, for terms of one, three and five years, respectively, and, as to non-resident freeholders, for terms of two and four years, respectively. Thereafter, the term of each member of the Council shall be for a period of five years and until his successor is appointed and qualified. The term of Mayor, as Mayor, shall be for one year. Appointments shall be made so as to preserve the proportionate representation of resident electors to non-resident freeholders as above indicated. In case

vacancy shall occur by death, resignation, removal from office, disqualification or otherwise, appointment to fill the unexpired term shall be made by the Governor, by and with the advice and consent of the Senate, the appointee designated between sessions of the General Assembly to serve as defactor officer until such time as the appointment shall be confirmed or rejected.

§ 9. **Absentee voting.**—The provisions for absentee voting as set forth above shall apply at any and all general or special elections held by the municipality.

§ 10. **Invalidity.**—The sections and provisions of this Act are separable and are not matters of mutual essential inducement, and it is intended to confer the whole or any part of the powers herein provided for, and if any of the sections or provisions or parts thereof are for any reason illegal, it is intended that the remaining sections and provisions or parts thereof, shall remain in full force and effect. In the event, but only in the event, of judicial determination that the provisions herein made for representation of non-resident freeholders upon the Town or City Council is illegal, then all of the members of said Council shall be appointed as above provided from registered electors within the area.

§ 11. All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

§ 12. This Act shall take effect immediately upon its approval by the Governor.

Approved the 23rd day of April, 1937.

(367)

No. 212.

AN ACT to Amend Section I, of Act No. 631 of the Acts of the General Assembly of South Carolina, 1934, Entitled "An Act to Require Every Firm, Association and Corporation Doing a Life and/or Health and/or Accident Insurance Business in the State of South Carolina to Deliver with Each Policy of Insurance Issued a Copy of the Application Therefor so that the Whole Contract Shall Appear in Such Application and Policy, and to Provide a Penalty for the Failure to so Deliver a Copy of Said Application", Approved Jan. 24, 1934, so as to Exempt Certain Policies from the Provisions Thereof.

Section 1. Act 631, 1934 Acts, amended—not apply to policy in which benefits thereunder are \$500.00 or less.—Be it enacted by

the General Assembly of the State of South Carolina: That Section 1 of Act No. 631 of the Acts of the General Assembly of South Carolina, 1934, entitled "An Act to Require Every Firm, Association and Corporation doing a Life And/Or Health, And/Or Accident Insurance Business in the State of South Carolina, to Deliver with Each Policy of Insurance Issued a Copy of the Application Therefor So That the Whole Contract Shall Appear in Such Application And Policy And to Provide a Penalty for Failure to So Deliver A Copy of Said Application", approved the 24th. day of January, 1934, be, and the same is hereby, amended by adding at the end of said Section the following:

"The provisions of this Section shall not apply to any policy of insurance in which the benefits payable thereunder are Five Hundred (\$500.00) Dollars or less," so that said Section 1, when so amended, will read as follows:

"Section 1. That every firm, corporation, fraternal benefit, mutual protective, mutual insurance, mutual aid or other associations doing, a life and/or health, and/or accident insurance business in the State of South Carolina, shall deliver with each policy of insurance issued by it a copy of the application made by the insured so that the whole contract shall appear in said application and policy of insurance, in default of which no defense shall be allowed to such policy on account of anything contained in, or omitted from, such application. If such a policy of insurance is issued upon an oral application, no defense shall be allowed to said policy on account of anything contained in, or omitted from, such oral application. The provisions of this Section shall not apply to any policy of insurance in which the benefits payable thereunder are Five Hundred (\$500.00) Dollars or less."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 23rd day of April, 1937.

(368)

No. 213.

AN ACT to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinancing, or of Refinancing and Improving, Revenue-Producing Works, Undertakings, and Projects by Counties, Townships, City and Incorporated Towns, and to Provide for the Payment of Such Bonds.

Section 1. Short title.—Be it enacted by the General Assembly of the State of South Carolina: That this Act may be cited as “The Revenue Bond Refinancing Act of 1937.”

§ 2. Definitions.—The following terms wherever used or referred to in this Act shall have the following meaning, unless a different meaning appears from the context:

(a) The term “municipality” shall mean any county, township, city or incorporated town;

(b) The term “governing body” shall mean the board, council, or other local legislative body having power to borrow money on behalf of a municipality;

(c) The term “law” shall mean any act or statute, general, special or local, of this State, including without being limited to, the charter of any municipality;

(d) The term “enterprise” shall mean any work, undertaking, or project which the municipality is or may hereafter be authorized to construct and from which the municipality has heretofore derived or may hereafter derive revenues, for the refinancing, or the refinancing and improving of which enterprise, refunding bonds are issued under this Act, and such enterprise shall include all improvements, betterments, extensions and replacements thereto, and all appurtenances, facilities, lands, rights in land, water rights, franchises, and structures in connection therewith or incidental thereto;

(e) The term “Federal Agency” shall include the United States of America, the President of the United States of America, the Federal Emergency Administrator of Public Works, Reconstruction Finance Corporation, or any agency, instrumentality or corporation of the United States of America, which has heretofore been or may hereafter be designated or created by or pursuant to any Act or Acts or Joint Resolution or Joint Resolutions of the Congress of the United States of America, or which may be owned or controlled, directly or indirectly, by the United States of America;

(f) The term “improving” shall mean reconstructing, replacing, extending, repairing, bettering, equipping, developing, embellishing or improving or any one or more or all of the foregoing;

(g) The term “refundng bonds” shall mean notes, bonds, certificates or other obligations of a municipality issued pursuant to this Act, or pursuant to any other law, as supplemented by, or in conjunction with this Act;

(h) The term “refinancing” shall mean funding, refunding, paying or discharging, by means of refunding bonds or the proceeds

received from the sale thereof, all or any part of any notes, bonds, or other obligations heretofore or hereafter issued to finance or to aid in financing the acquisition, construction or improving of an enterprise and payable solely from all or any part of the revenues thereof, including interest thereon in arrears or about to become due whether or not represented by coupons or interest certificates;

(i) The term "revenue" shall mean all fees, tolls, rates, rentals and charges to be levied and collected in connection with and all other income and receipts of whatever kind or character derived by the municipality from the operation of any enterprise or arising from any enterprise.

(j) The term "holder of bonds" or "bondholders" or any similar term shall mean any person who shall be the bearer of any outstanding refunding bond or refunding bonds registered to bearer or not registered, or the registered owner of any such outstanding bond or bonds which shall at the time be registered other than to bearer;

(k) Words importing the singular number shall include the plural number in each case and vice versa, and words importing persons shall include firms and corporation.

§ 3. Municipality finance and improve enterprises—borrow—issue refunding bonds.—Any municipality shall have power and is hereby authorized to refinance, or to refinance and improve, any enterprise, and for such purpose or purposes to borrow money and issue refunding bonds from time to time.

§ 4. Authorize refunding by resolution.—The refunding shall be authorized by resolution or resolutions of the governing body of the municipality. Such resolution or resolutions may be adopted at a regular or special meeting and at the same meeting at which they are introduced by a majority of all the members of the governing body then in office. Such resolution or resolutions shall take effect immediately upon the adoption thereof. No other proceedings or procedure of any character whatever shall be required for the issuance of refunding bonds by the municipality.

§ 5. Refunding bonds—series, maturities, interest, denominations, etc.—The refunding bonds may be issued in one or more series, may bear such date or dates, may mature at such time or times not exceeding the period of usefulness of the enterprise, as determined by the Governing body in its discretion, nor in any event exceeding forty years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate of interest

borne by the notes, bonds or other obligations refinanced thereby, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment, at such place or places, may be subject to such terms of redemption, with or without a premium, may be declared or become due before the maturity date thereof, may provide for the replacement of mutilated, destroyed, stolen, or lost bonds, may be authenticated in such manner and upon compliance with such conditions, and may contain such other terms and covenants, as may be provided by resolution or resolutions of the governing body of the municipality. Notwithstanding the form or tenor thereof, and in the absence of an express recital on the face thereof that the bond is non-negotiable, all refunding bonds shall at all times be, and shall be treated as, negotiable instruments for all purposes.

§ 6. Refunding bonds—valid obligations.—Refunding bonds bearing the signatures of officers of the municipality in office on the date of the signing thereof shall be valid and binding obligations of the municipality for all purposes, notwithstanding that before the delivery thereof any or all of the persons whose signatures appear thereon shall have ceased to be officers of the municipality, the same as if such persons had continued to be officers of the municipality until after the delivery thereof. The validity of the authorization and issuance of the refunding bonds shall not be dependant on or affected in any way by proceedings taken for the improving of any enterprise for the refinancing and improving of which the refunding bonds are to be issued, or by contracts made in connection with the improving of any such enterprise. Any resolution authorizing refunding bonds may provide that any such refunding bond may contain a recital that such refunding bond is issued pursuant to this Act, and any refunding bond containing such recital under authority of any such resolution shall be conclusively deemed to be valid and to have been issued in conformity with the provisions of this Act.

§ 7. Refunding bonds—sell—exchange.—The refunding bonds may be sold or exchanged in installments at different times or an entire issue or series may be sold or exchanged at one time. Any issue or series of refunding bonds may be exchanged in part or sold in part in installments at different times or at one time. The refunding bonds may be sold or exchanged at any time, on before, or after the maturity of any of the outstanding notes, bonds, certificates or other obligations to be refinanced thereby.

2. If the governing body determines to exchange any refunding bonds, such refunding bonds may be exchanged privately for and in payment and discharge of any of the outstanding notes, bonds, or other obligations of the municipality issued to finance or to aid in financing the acquisition, the construction, the improving, the refinancing, or the improving and refinancing, of an enterprise. The refunding bonds may be exchanged for a like or greater principal amount of such notes, bonds or other obligations of the municipality, except that the principal amount of the refunding bonds may exceed the principal amount of such outstanding notes, bonds, or other obligations to the extent necessary or advisable, in the discretion of the governing body, to fund interest in arrears or about to become due. The holder or holders of such outstanding notes, bonds, or other obligations need not pay accrued interest on the refunding bonds to be delivered in exchange therefor if and to the extent that interest is due or accrued and unpaid on such outstanding notes, bonds, or other obligations to be surrendered.

3. If the governing body determines to sell any refunding bonds, such refunding bonds shall be sold at not less than par at public or private sale in such manner and upon such terms as the governing body shall deem best for the interests of the municipality.

§ 8. Refunding bonds—special obligations—payment—rights of holders—disposition of obligations refinanced—security—effect on creditors—constitutional bond or debt.—The refunding bonds shall be special obligations of the municipality and shall be payable from and secured by a lien upon the revenues of the enterprise as shall be more fully described in the resolution or resolutions of the governing body authorizing the issuance of the refunding bonds, having due regard to the cost of operation and maintenance of the enterprise and the amount or proportion, if any, of the revenues of the enterprise previously pledged, any municipality shall have power by resolution of its governing body to pledge for the security of the refunding bonds a fixed amount without regard to any fixed proportion of the gross revenues of the enterprise.

2. As additional security for any issue of refunding bonds hereunder, or any part thereof, any municipality shall have power, and is hereby authorized by resolution of its governing body to confer upon the holders of the refunding bonds all rights, powers and remedies which said holders would be entitled to if they were the owners and had possession of the notes, bonds, or other obligations for the refinancing of which such refunding bonds shall have been

issued including, but not limited to, the preservation of the lien of such notes, bonds or other obligations without extinguishment, impairment or diminution thereof. In the event any municipality exercises the power conferred by this paragraph, (a) each refunding bond shall contain a recital to the effect that the holder thereof has been granted the additional security provided by this paragraph and (b) each note, bond, certificate or other obligation of the municipality to be refinanced by any such refunding bonds, shall be kept intact and shall not be cancelled or destroyed until the refunding bonds, and interest thereon, have been finally paid and discharged but shall be stamped with a legend to the effect that such note, bond, certificate or other obligation has been refunded pursuant to The Revenue Bond Refinancing Act of 1937.

3. All refunding bonds of the same issue shall be equally and ratably secured, without priority by reason of number, date of bonds, of sale, of execution or of delivery, by a lien upon the revenues of the enterprise in accordance with the provisions of this section and the resolution or resolutions authorizing the issuance of such refunding bonds.

4. Nothing in this section or in any other section of this Act shall be deemed in any way to alter the terms of any agreements made with the holders or any outstanding notes, bonds, or other obligations of the municipality or to authorize the municipality to alter the terms of any such agreements, or to impair, or to authorize the municipality to impair the rights and remedies of any creditors of the municipality.

5. Nothing in this section or in any other section of this Act shall be deemed in any way to authorize any municipality to do anything in any manner or for any purpose which would result in the creation or incurring of a debt or indebtedness or the issuance of any instrument which would constitute a bond or debt within the meaning of any provision, limitation, or restriction of the Constitution relating to the creation or incurring of a debt or indebtedness of the issuance of an instrument constituting a bond or a debt.

§ 9. Refunding bonds—funds or property use pay.—1. No recourse shall be had for the payment of the refunding bonds, or interest thereon, or any part thereof, against the general fund of any municipality, nor shall the credit or taxing power of any municipality be deemed to be pledged thereto.

2. The refunding bonds, and interest thereon, shall not be a debt of the municipality, nor a charge, lien or encumbrance, legal or

equitable, upon any property of the municipality, or upon any income, receipts, or revenues of the municipality other than such of the revenues of the enterprise as shall have been pledged to the payment thereof, and every refunding bond shall recite in substance that said bond, including interest thereon, is payable solely from the revenues pledged to the payment thereof and that the municipality is under no obligation to pay the same, except from said revenues.

§ 10. Refunding bonds exempt from certain taxes.—The refunding bonds and the income therefrom shall be exempt from taxation, except inheritance, estate and transfer taxes.

§ 11. Fiscal agent.—Any municipality shall have power in connection with the issuance of refunding bonds, to appoint a fiscal agent, to provide for the powers, duties and functions and compensations of such fiscal agent, to limit the liabilities of such fiscal agent, to prescribe a method for the resignation, removal, merger or consolidation of such fiscal agent, and the appointment of a successor fiscal agent and the transfer of rights and properties to such successor fiscal agent.

§ 12. Duties of municipality and employees.—1. In order that the payment of the refunding bonds, and interest thereon, shall be adequately secured, any municipality issuing refunding bonds pursuant to this Act and the proper officers, agents and employees thereof, are hereby directed, and it shall be the mandatory duty of such municipality and such officers, agents and employees under this Act, and it shall further be of the essence of the contract of such municipality with the bondholders, at all times:

(a) To pay or cause to be paid punctually the principal of every refunding bond, and the interest thereon, on the date or dates and at the place or places and in the manner and out of the funds mentioned in such refunding bonds and in the coupons thereto appertaining and in accordance with the resolution authorizing their issuance;

(b) To operate the enterprise in an efficient and economical manner and to establish, levy, maintain and collect such fees, tolls, rentals, rates and other charges in connection therewith as may be necessary or proper, which said fees, tolls, rates, rentals and other charges shall be at least sufficient after making due and reasonable allowances for contingencies and for a margin of error in the estimates, (1) to pay all current expenses of operation, and maintenance of such enterprise, (2) to pay the interest on and principal of the refunding bonds as the same shall become due and payable, (3) to comply in all respects with the terms of the resolution or resolutions au-

thorizing the issuance of refunding bonds or any other contract or agreement with the holders of the refunding bonds, and (4) to meet any other obligations of the municipality which are charges, liens, or encumbrances upon the revenues of such enterprise;

(c) To operate, maintain, preserve and keep, or cause to be operated, maintained, preserved and kept, the enterprise and every part and parcel thereof, in good repair, working order and condition;

(d) To preserve and protect the security of the refunding bonds and the rights of the holders thereof, and to warrant and defend such rights against all claims and demands of all persons whomsoever;

(e) To pay and discharge, or cause to be paid or discharged any and all lawful claims for labor, materials and supplies, which, if unpaid, might by law become a lien or charge upon the revenues or any part thereof, prior or superior to the lien of the refunding bonds, or which might impair the security of the refunding bonds, to the end that the priority and security of the refunding bonds shall be fully preserved and protected;

(f) To hold in trust the revenues pledged to the payment of the refunding bonds for the benefit of the holders of the refunding bonds and to apply such revenues only as provided by the resolution or resolutions authorizing the issuance of the refunding bonds, or, if such resolution or resolutions shall thereafter be modified in the manner provided therein or herein, only as provided in such resolution or resolutions as modified;

(g) To keep proper books of record and accounts of the enterprise (separate from all other records and accounts) in which complete and correct entries shall be made of all transactions relating to the enterprise or any part thereof, and which, together with all other books and papers of the municipality, shall at all times be subject to the inspection of the holder or holders of not less than ten percent of the refunding bonds then outstanding or his or their representatives duly authorized in writing.

2. None of the foregoing duties shall be construed to require the expenditure in any manner or for any purpose by the municipality of any funds other than revenues received or receivable from the enterprise.

§ 13. Provisions insert in resolution authorizing issuance of refunding bonds.—1. The governing body of any municipality shall have power, in addition to the other powers conferred by this Act,

to insert provisions in any resolution authorizing the issuance of refunding bonds, which shall be a part of the contract with the holders of the refunding bonds, as to:

(a) Limitations on the purpose to which the proceeds of sale of any issue of refunding bonds, or any notes, bonds or other obligations then or thereafter to be issued to finance the improving of the enterprise, may be applied;

(b) Limitations on the issuance and on the lien of additional refunding bonds, or additional notes, bonds, or other obligations to finance the improving of the enterprise which are secured by or payable from the revenues of such enterprise;

(c) Limitations on the right of the municipality or its governing body to restrict and regulate the use of the enterprise;

(d) The amount and kind of insurance to be maintained on the enterprise, and the use and disposition of insurance moneys;

(e) Pledging all or any part of the revenues of the enterprise to which its right then exists or the right to which may thereafter come into existence;

(f) Covenanting against pledging all or any part of the revenues of the enterprise to which its right then exists or the right to which may thereafter come into existence;

(g) Events of default and terms and conditions upon which any or all of the refunding bonds shall become or may be declared due before maturity and as to the terms and conditions upon which such declaration and its consequences may be waived;

(h) The rights, liabilities, powers and duties arising upon the breach by it of any covenants, conditions or obligations;

(i) The vesting in a trustee or trustees the right to enforce any covenants made to secure, to pay, or in relation to the refunding bonds, as to the powers and duties of such trustee or trustees, and the limitation of liabilities thereof, and as to the terms and conditions upon which the holders of the refunding bonds or any proportion or percentage of them may enforce any covenants made under this Act or duties imposed hereby;

(j) A procedure by which the terms of any resolution authorizing refunding bonds, or any other contract with bondholders, including but not limited to an indenture of trust or similar instrument, may be amended or abrogated and as to the amount of refunding bonds the holders of which must consent thereto and the manner in which such consent may be given;

(k) The execution of all instruments necessary or convenient in the exercise of the powers granted by this Act or in the performance of the duties of the municipality and the officers, agents and employees thereof;

(l) Refraining from pledging or in any manner whatever claiming or taking the benefit or advantage of any stay or extension law whenever enacted, nor at any time hereafter in force, which may affect the duties or covenants of the municipality in relation to the refunding bonds, or the performance thereof, or the lien of such refunding bonds;

(m) The purchase out of any funds available therefor, including but not limited to the proceeds of refunding bonds, of any outstanding notes, bonds or obligations, including but not limited to refunding bonds, and the price or prices at which and the manner in which such purchases may be made;

(n) Any other acts and things as may be necessary or convenient or desirable in order to secure the refunding bonds, or as may tend to make the refunding bonds more marketable;

(o) The manner of collecting the fees, tolls, rates, rentals, or other charges for the services, facilities or commodities of the enterprise, and the combining in one bill of the fees, tolls, rates, rentals or other charges for the services, facilities or commodities of the enterprise with the fees, tolls, rates, rentals or charges for other services, facilities or commodities afforded by the municipality; and

(p) the discontinuance of the services, facilities or commodities of the enterprise as well as any other services, facilities or commodities afforded by the municipality, in the event that the fees, tolls, rates, rentals or other charges for the services, facilities or commodities of the enterprise are not paid.

2. Nothing in this section shall be construed to authorize any municipality to make any covenants, to perform any act or to do anything which shall require the expenditure in any manner or for any purposes by the municipality of any funds other than revenues received or receivable from the enterprise.

§ 14. Receiver of enterprise—appointment—duties and powers—discharge.—In the event that the municipality shall default in the payment of the principal or interest on any of the refunding bonds after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days, or in the event that the municipality or the governing body or officers, agents or employees thereof shall fail or refuse

to comply with the essential provisions of this Act or shall default in any material respect in any agreement made with the holders of the refunding bonds, any holder or holders of refunding bonds, or trustee therefor, shall have the right to apply in an appropriate judicial proceeding to a State Court exercising equitable jurisdiction, or any court of competent jurisdiction, for the appointment of a receiver of the enterprise, whether or not all refunding bonds have been declared due and payable and whether or not such holder or holders, or trustee therefor, is seeking or has sought to enforce any other right, or exercise any remedy in connection with such refunding bonds. Upon such application, if it deem such action necessary for the protection of the refunding bondholders, such a State court exercising equitable jurisdiction, may appoint, and if the application is made by the holders of 25 per centum in principal amount of such refunding bonds then outstanding, or any trustee for holders of such refunding bonds in such principal amount, shall appoint a receiver of the enterprise.

2. The receiver so appointed shall forthwith, directly or by his agents and attorneys, enter into and upon and take possession of the enterprise and each and every part thereof and if the court so directs may exclude the municipality, its governing body, officers, agents, and employees and all persons claiming under them wholly therefrom and shall have, hold, use, operate, manage and control the same and each and every part thereof, and, in the name of the municipality or otherwise, as the receiver may deem best, and shall exercise all the rights and powers of the municipality with respect to the enterprise as the municipality itself might do. Such receiver shall maintain, restore, insure and keep insured, the enterprise, and from time to time shall make all such necessary or proper repairs as to such receiver may seem expedient and shall establish, levy, maintain and collect such fees, tolls, rentals, and other charges in connection with the enterprise as such receiver may deem necessary or proper and reasonable, and shall collect and receive all revenues and shall deposit the same in a separate account and apply such revenues so collected and received in such manner as the court shall direct.

3. Whenever all that is due upon the refunding bonds, and interest thereon, and upon any other notes, bonds or other obligations, and interest thereon, having a charge, lien or encumbrance on the revenues of the enterprise and under any of the terms of any covenants or agreements with bondholders shall have been paid or deposited

as provided therein, and all defaults shall have been cured and made good, and it shall appear to the court that no default is imminent, the court shall direct the receiver to surrender possession of the enterprise to the municipality, the same right of the holders of the refunding bonds to secure the appointment of a receiver to exist upon any subsequent default as hereinabove provided.

4. Such receiver shall in the performance of the powers hereinabove conferred upon him, act under the direction and supervision of the court making such appointment and shall at all times be subject to the orders and decrees of such court and may be removed thereby. Except as provided in paragraph five of this section, nothing herein contained shall limit or restrict the jurisdiction of such court to enter such other and further orders and decrees as such court may deem necessary or appropriate for the exercise by the receiver of any functions specifically set forth herein.

5. Notwithstanding anything in this section to the contrary, said receiver shall have no power to sell, assign, mortgage or otherwise dispose of any assets of whatever kind or character belonging to the municipality and useful for the enterprise, but the authority of any such receiver shall be limited to the operation and maintenance of the enterprise, and no court shall have jurisdiction to enter any order or decree requiring or permitting said receiver to sell, assign, mortgage, or otherwise dispose of any such assets.

§ 15. Rights and remedies of holders of refunding bonds.—

1. Subject to any contractual limitations binding upon the holders of any issue of refunding bonds, or trustee therefor, including but not limited to the restriction of the exercise of any remedy to a specified proportion or percentage of such holders, any holder of refunding bonds, or trustee therefor, shall have the right and power, for the equal benefit and protection of all holders of refunding bonds similarly situated;

(a) By mandamus or other suit, action or proceeding at law or in equity to enforce his rights against the municipality and its governing body and any of its officers, agents and employees and to require and compel such municipality or such governing body or any such officers, agents or employees to perform and carry out its and their duties and obligations under this Act and its and their covenants and agreements with bondholders;

(b) By action or suit in equity to require the municipality and the governing body thereof to account as if they were the trustee of an express trust;

(c) By action or suit in equity to enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders;

(d) Bring suit upon the refunding bonds.

2. No remedy conferred by this Act upon any holder of refunding bonds, or any trustee therefor, is intended to be exclusive of any other remedy, but each such remedy is cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred by this Act or by any other law. No waiver of any default or breach of duty or contract, whether by any holder of refunding bonds, or any trustee therefor, shall extend to or shall affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of any bondholder or any trustee therefor to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy, conferred upon the holders of refunding bonds, may be enforced and exercised from time to time and as often as may be deemed expedient. In case any suit, action or proceeding to enforce any right or exercise any remedy shall be brought or taken and then discontinued or abandoned, or shall be determined adversely to the holder of the refunding bonds, or any trustee therefor, then and in every such case the municipality and such holder, or such trustee, shall be restored to their former positions and rights and remedies as if no such suit, action or proceeding had been brought or taken.

§ 16. Authority issue refunding bonds—cumulative—construe liberally.—This Act constitutes full and complete authority for the issuance of refunding bonds. No procedure or proceedings, publications, notices, consents, approvals, orders, acts or things by any governing body of any municipality, or any board, officer, commission, department, agency or instrumentality of the State or any municipality shall be required to issue any refunding bonds or to do any act or perform anything under this Act, except as may be prescribed in this Act. The powers conferred by this Act shall be in addition and supplemental to, and not in substitution for, and the limitations imposed by this Act shall not affect, the powers conferred by any other law. This Act is remedial in nature and shall be liberally construed.

§ 17. Invalidity.—If any section, clause, sentence, paragraph, part or provisions of this Act shall be found invalid by any court, it shall be conclusively presumed that this Act would have been passed

by the Legislature without such invalid section, clause, sentence, paragraph part or provisions, and the Act as a whole shall not be declared invalid by reason of the fact that one or more sections, clauses, sentences, paragraphs, parts or provisions, may be found invalid by any court.

Approved the 24th day of April, 1937.

(369)

No. 214.

AN ACT to Amend Section 2 of an Act Entitled "An Act to Fix the Number of Trustees of Ninety Six School District No. 13 in Greenwood County; to Prescribe Their Terms of Office and Provide a Method of Election of the Same", Known as Act No. 908 of the Acts of 1936, Relating to Terms—Vacancies—Elections, so as to Further Provide for Successors and Terms of Office.

Section 1. Act 908, 1936 Acts, amended—trustees, Ninety Six School District No. 13, Greenwood County—vacancy—terms.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2 of an Act entitled "An Act to Fix the Number of Trustees of Ninety Six School District No. 13 in Greenwood County, to Prescribe their terms of Office and Provide a Method of Election of the Same", known as Act. No. 908 of the Acts of 1936, be, and the same is hereby amended by adding at the end of Section 2 the following, to-wit:

"Provided, That the County Board shall have authority to name a successor to the Trustees of the said District whose terms expire April 1, 1937 and the said Trustees so named shall continue in office until April 1, 1939, and Provided, Further, That, under the terms of this Act, the terms of two of the said Trustees shall expire April 1, 1939, and two members April 1, 1940", so that said Section, when so amended, shall read as follows:

"Section 2. That the terms of the said five members shall be for two years, except the three members now serving, who shall finish out their unexpired terms, and the two newly elected members shall serve until April 1st, 1940. That hereafter the terms of office of any member shall expire on April 1st. The County Board of Education of Greenwood County shall appoint a successor or successors to fill the terms of Trustees whose terms have expired, or who have resigned or whenever a vacancy exists; Provided, However,

That upon the written petition of one-third of the qualified electors of said District the County Board shall order an election to be held to fill any vacancy or vacancies, said election to be held on the Second Tuesday in March of any such year, and shall be after two weeks notice by posting said notice at three public places in the said Town and by inserting a copy of the said notice in at least two issues of any newspaper published in the said County. The County Board of Education of Greenwood County shall have full authority to provide the manner of conducting said elections. *Provided*, That the County Board shall have authority to name a successor to the Trustees of the said District whose terms expire April, 1937, and the said Trustees so named shall continue in office until April 1, 1939, and *Provided, Further*, That, under the terms of this Act, the terms of two of said Trustees shall expire April 1, 1939 and three members April 1, 1940."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 21st day of April, 1937.

(370)

No. 215.

AN ACT to Validate the Election Held in March, 1937, for School Trustees in Gable School District No. 35, of Clarendon County, and Turbeville School District No. 20, of Clarendon County, and to Provide for Their Terms of Office and to Further Provide for the Election of Trustees in Said School Districts and in Oakdale School District No. 14 of Said County.

Whereas, Elections for School Trustees have already been held in the following School Districts of Clarendon County, to wit: Gable School District No. 35, and Turbeville School District No. 20, and

Whereas, it was provided in the notices of election for said School Districts, that the candidate receiving the highest vote in said election was to serve three (3) years and the one receiving the next highest vote was to serve two (2) years, and the one receiving the third (3rd) highest vote, to serve for one (1) year, *Therefore*

Section 1. Trustee elections validated, Gable School District No. 35 and Turbeville School District No. 20, Clarendon County.—

Be it enacted by the General Assembly of the State of South Carolina: That the elections heretofore held in Gable School District No. 35, of Clarendon County and Turbeville School District No. 20, of Clarendon County, be, and the same is, hereby validated and declared as legal and binding in all respects.

§ 2. Terms of trustees elected.—That the Trustee in the said election so held, who received the highest majority vote in said election, shall hold office for a period of three (3) years; that the Trustee receiving the next highest majority vote shall hold office for a period of two (2) years, and that the Trustee at the said election who received the third (3rd) highest majority vote, shall serve for a period of one (1) year.

§ 3. Election—time—term.—That hereafter, beginning in the year 1938, in said School Districts, one Trustee shall be elected for a period of three (3) years, and said election for said Trustees shall be held on the first Tuesday in March in the year 1938, and on the same date in every succeeding year thereafter, for the purpose of electing one Trustee from each of the said School Districts, who shall serve for a period of three years.

§ 4. Trustees, Oakdale School District No. 14, Clarendon County—terms—time elect.—Likewise, beginning in the year 1938, in Oakdale School District No. 14 of Clarendon County, at the election of Trustees thereof as now provided by law, the elected Trustee who shall receive the highest majority vote in said election of 1938 shall hold office for a period of three years; the Trustee receiving the next highest majority vote shall hold office for a period of two years, and the Trustee receiving the third highest majority vote shall serve for a period of one year. That thereafter, beginning in 1939, on the first Tuesday of March in each succeeding year, at the election in said District there shall be elected one Trustee who shall serve for a period of three years.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect immediately upon its approval by the Governor.

Approved the 21st day of April, 1937.

(372)

No. 216.

AN ACT to Amend Section 3814 of the Code of Laws of South Carolina of 1932, Subsections (1), (2), (3), and (4), Relative to the Rural Police System for Spartanburg County, the Appointment, Duties and Powers of the Rural Policemen and Detectives.

Section 1. § 3814, 1932 Code, amended—rural police, Spartanburg County—number—appointment—term.—Be it enacted by the General Assembly of the State of South Carolina; That Sub-section (1) of Section 3814 of the Code of Laws of 1932 be and the same is hereby amended by striking out the provisions thereof and inserting in lieu thereof, the following:

“Section 3814-(1). There shall be maintained in Spartanburg County a rural police system for the County, consisting of eleven or more rural policemen, one of whom shall be chief, and four or more plain clothes detectives, one of whom shall be designated as Chief, all of said rural policemen and plain clothes detectives to have the same power and authority under the terms of this section. Any of the said rural policemen may be designated by the Sheriff to act as jailors, and/or nightwatchmen, for day or night service. All rural policemen of Spartanburg County and all of said detectives for said County shall be under the control and direction of the Sheriff of Spartanburg County, and shall be responsible to the said Sheriff for the discharge of their duties, and the said Sheriff shall have directory power over them subject to the provisions of law. All rural policemen and detectives aforesaid shall be appointed by the Sheriff of said County for a term not exceeding his own term of office; and the said Sheriff may discharge any of them at his own discretion. The said rural policemen and detectives shall be selected from qualified electors of the County and shall be able-bodied men, of good habits and of known courage, coolness and discretion, and be men who are known not to be addicted to the use of alcoholic liquors or drugs. Such officers so appointed by the Sheriff shall be located and perform their duties throughout the County in such places as may be selected by the Sheriff and under his direction and that of the Chiefs of the rural policemen and of the detectives.”

§ 2. Same—duties—reports—certain magistrate constables abolished.—That Sub-section (2) of Section 3814 be stricken out and the provisions thereof rewritten and amended so as to read as follows:

"(2) All Magistrates' constables in the County of Spartanburg are hereby abolished, except the constables provided otherwise by law for the Magistrates in the City of Spartanburg, and except such constables for Magistrates outside of the City of Spartanburg as may be designated by Statute or from time to time by the County Supply Bill. That the duties heretofore performed by the constables of the magistrates of said County, for whom there is no legal provisions made for a constable, are hereby devolved upon the rural policemen provided for in this Act, each policeman to do the work of the Magistrate's constable in the district for which he may be appointed, or in any other portion of the county as designated by the Sheriff or Deputy Sheriff. The civil work which may heretofore have been performed by Magistrate's Constables shall hereafter be performed by the rural policemen in charge of such work in the territory occupied by the Magistrate for whom the service is to be performed, and the costs provided by law for such services shall be turned over to the County Treasurer and become a part of the general fund of the County. It shall be the duty of said policemen, and detectives, under the general direction and control of the Sheriff, to patrol the entire county, especially the rural districts for the purpose of detecting, preventing and prosecuting all violations of the criminal law, making arrest for any suspected crime, whether upon view or immediate information or complaint, and report their acts and doings and all known or suspected violators of law to the Sheriff at least once a week or oftener as required, and they shall at each term of the Court of General Sessions and the County Court, whenever so required by the Solicitor, Presiding Judge or Grand Jury, appear before them, or either of them, to be by them advised, instructed and charged in respect to their duties, and questioned as to all conditions of lawlessness in the County. Said rural policemen and detectives shall patrol the district for which they are respectively appointed as often as may be necessary, and they shall do police duty in the district assigned to other policemen, when directed to do so by the Sheriff or his Deputy, and remain on duty at night when occasion and circumstances suggest the propriety thereof to prevent or detect crime or to make arrests, and they shall always be on duty not less than ten hours every day, except when granted occasional leaves of absence by the Sheriff or his Deputy. They shall frequent railroad depots, stores, county fairs, carnivals and any other places of a public character where disorder is probable or where vagrants may be loafing or alcoholic liquors sold or used.

They shall, as often as practicable, ride by houses that are off the public highway and in lonely parts of the County, especially such as are without male protectors, and they shall use every reasonable means to prevent or detect, arrest and prosecute for breach of the peace, drunkenness, obscene or profane language, or boisterous conduct, or the discharge of firearms on the public highways, or at any public place or gathering, carrying concealed weapons, contrary to law, unlawful hunting, fishing, or otherwise trespassing on lands without the permission of the owner or manager thereof, gambling, vagrancy, or setting out fires, cruelty to animals or children, violation of the child labor laws, as well as any and all violations of the criminal law, and the said policemen and detectives are specifically authorized and required to co-operate with all other agencies in the strict enforcement of the compulsory education law and speed laws of the State."

§ 3. Same—compensation—equipment—further duties.—That Sub-section (3) of said Section 3814 be, and the same is hereby, stricken out and the language thereof amended and rewritten so as to read as follows:

"(3) Each of said policemen and detectives shall be paid such salaries and compensation as may, from year to year, be provided by the Supply Bill of said County, such payments to be made by warrants from the County Board, drawn upon the Treasurer of said County. That firearms, such as may be prescribed and approved by the Sheriff, and an automobile for use in performing his duties shall be furnished by each rural policeman at his own expense. Each of said policemen shall have placed in his house a telephone so that he may readily communicate with the Sheriff and other officers of the County, day or night, and he must each day while on his rounds communicate with the Sheriff by telephone or otherwise as often as practicable for the purpose of making reports and receiving instructions, and said policemen shall serve any papers or warrants which he may be required to serve by the Magistrates in his territory who have no regular constable provided for them by law, and even in districts of magistrates who have lawful constables, the rural policemen or detectives shall serve any papers therein, which he may be required to serve by order of the Sheriff or his Deputy."

§ 4. Same—oath.—That Sub-section (4) of said Section 3814 be stricken out and rewritten and amended, so as to read as follows:

"(4). Each of said policemen and detectives, before receiving his commission, shall, in addition to the oath now prescribed by Sec.

26 of Article 3 of the Constitution, and by Section 3043 of this Code, take and subscribe to the following oath or affirmation, to-wit:

‘I do further solemnly swear or affirm that during my term of office as policeman, or as a detective, I will study the statute creating my office and prescribing my duties and will endeavor to inform myself of the criminal laws of the state; both statutory and common law, and will be alert and vigilant to enforce the same and to detect and bring to punishment every violation of the same within my county, and will conduct myself at all times with due consideration to all persons, and will not impose upon the weak or ignorant; So help me God.’

§ 5. All Acts or parts of Acts inconsistent herewith be, and the same are hereby, repealed to the extent of such inconsistency

§ 6. This Act shall go into effect immediately upon its approval by the Governor.

Approved the 21st day of April, 1937.

(373)

No. 217.

AN ACT to Amend Section 5641, Code of Laws of South Carolina, 1932, by Further Providing for the Appointment of Trustees of High School District No. 1, of Dillon County.

Section 1. § 5641, 1932 Code, amended—trustees, High School District No. 1, Dillon County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5641, Code of Laws of South Carolina, 1932, be, amended by adding at the end of the second paragraph of said section, and being paragraph headed, “Trustees” the following:

“Provided, that in High School District No. 1, including the Town of Lake View, the Board of Trustees shall be composed of the Chairman of each of the Boards of Trustees of the Common School Districts in said High School District.”

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act to take effect upon its approval by the Governor.

Approved the 21st day of April, 1937.

(374)

No. 218.

AN ACT to Amend Section 3385, Code of Laws of South Carolina, 1932, so as to Further Regulate the Fishing for Shad in the Streams of This State.

Section 1. § 3385, 1932 Code, amended—season fish for shad.—

Be it enacted by the General Assembly of the State of South Carolina: That Section 3385, Code of Laws of South Carolina, 1932, be altered, changed and amended, to read as follows:

“Section 3385: It shall be unlawful to catch, buy, sell or ship white shad or hickory shad between the 25th day of March and the 15th day of January, inclusive, in each year; and, during the open season, it shall be unlawful to catch the same or set any seine or net for same from sunset on Friday evening until sunset on Monday evening following: *Provided*, That any net found with decomposed shad or sturgeon will be cause for forfeiture of license and net: *Provided, However*, That from a point forty miles from the mouth of any stream, in which shad may run, or to the waters of its source, the closed season for shad shall be from the 1st day of May until the 15th day of January.”

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 23rd day of April, 1937.

(375)

No. 219.

AN ACT to Amend Section 13 of an Act Entitled “An Act to Amend an Act Entitled: ‘An Act to Amend Sections 118-140, Inclusive of the Code of Laws of South Carolina, 1932, Relating to County Court of Greenville County, so as to Increase the Jurisdiction of the County Court in Civil Matters, so as to Abolish the Office of County Solicitor, to Strike Out All Sections or Parts of Sections Relating to the Trial of Criminal Cases and the Criminal Jurisdiction, to Provide for the Appointment of an Assistant to the Circuit Court Solicitor, Etc.’,” Known as Act No. 5 of the Acts of 1935, so as to Further Provide for the Terms of Court.

Section 1. Act 5, 1935 Acts, amended—terms of court, county court of Greenville County.—Be it enacted by the General As-

sembly of the State of South Carolina: That Section 13 of an Act entitled "An Act to Amend an Act Entitled; 'An Act to Amend Sections 118-140, inclusive, of the Code of Laws of South Carolina, 1932, Relating to the County Court of Greenville County, so as to Increase the Jurisdiction of the County Court in Civil Matters, so as to Abolish the Office of County Solicitor, to Strike out all sections or Parts of Sections Relating to the Trial of Criminal Cases and the Criminal Jurisdiction, to Provide for the Appointment of an Assistant to the Circuit Court Solicitor, etc.'", be and the same is hereby amended by striking out Section 13 and inserting in lieu thereof the following to be known as Section 13, to-wit:

"Section 13: The terms of the County court of Greenville County shall be as follows: Civil Court on the first Monday in January for two weeks, on the first Monday in March for two weeks, on the first Monday in June for two weeks, on the first Monday in September for one week, on the first Monday in October for one week, on the first Monday in November for one week, and on the second Monday in December for two weeks; Criminal Court on the third Monday in February for two weeks, on the third Monday in April for two weeks, on the fourth Monday in September for two weeks: *Provided*, That in addition to the terms aforesaid the Judge of the County Court shall have authority and power to call special or extra sessions of either civil or criminal court in said County at such other times as the Judge or Court shall order, and continue for such time as is necessary to dispose of the business of the Court; *Provided*, The notice as provided by law in the Court of Common Pleas has been given. And, *Provided Further*, In addition to the aforesaid terms, the Greenville County Court shall be in session at all times and open for the transaction of such business as can be disposed of without a jury. And *Provided Further*, The County Judge may in his discretion adjourn or suspend any term before or after the day fixed by law for the opening of the term".

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 23rd day of April, 1937.

(376)

No. 220.

AN ACT to Amend Section 432, Code of Laws of South Carolina, 1932, so as to Place a Limitation on the Time Within Which a Notice of the Pendency of an Action Shall Operate as Constructive Notice to a Purchaser or Encumbrancer of the Property Affected Thereby.

Section 1. § 432, 1932 Code, amended—notice of pendency of action constitute notice for 5 years from date of filing—refile.—Be it enacted by the General Assembly of the State of South Carolina: That Section 432, Code of Laws of South Carolina, 1932, be, and the same is hereby amended by adding at the end thereof the following:

“Provided Further, That filing of the notice of the pendency of the action shall constitute notice for only five (5) years from the date of the filing of such notice, and, in order to provide constructive notice to a purchaser or encumbrancer of the property affected thereby, the said notice shall be refiled within five (5) years from the date of filing in the first instance, and within five (5) years from the date of any such refiling. In the event any such notice be refiled, the same shall be entered in the book provided therefor as required for the original entry, and the Clerk shall note upon the record of the filing that the same is a refiling of such notice, and shall also note thereupon the date of the first entry and the book and page at which the same is filed”, so that, when so amended, the said section shall read as follows:

“Section 432. In an action affecting the title to real property, the plaintiff, not more than twenty days before filing of the complaint, or at the time of filing the complaint, or at any time afterwards, or whenever a warrant of attachment, under Chapter 25, shall be issued, or at any time afterwards, the plaintiff, or a defendant, when he sets up an affirmative cause of action in his answer, and demands substantive relief, at the time of filing his answer, or at any time afterwards, if the same be intended to affect real estate, may file with the Clerk of each County in which the property is situated, a notice of the pendency of the action, containing the names of the parties, the object of the action, and the description of the property in that County affected thereby; and if the action be for the foreclosure of a mortgage, such notice must be filed twenty days before judgment, and must contain the date of the mortgage, the parties thereto, and the time and place of recording the same. From the time of filing only,

shall the pendency of the action be constructive notice to a purchaser or encumbrancer of the property affected thereby; and every person whose conveyance or encumbrance is subsequently executed or subsequently recorded shall be deemed a subsequent purchaser or encumbrancer, and shall be bound by all proceedings taken after the filing of such notice to the same extent as if he were made a party to the action. For the purpose of this section, an action shall be deemed to be pending from the time of filing such notice: *Provided, However,* That such notice shall be of no avail, unless it shall be followed by the first publication of the summons, or an order therefor, or by the personal service thereof, on a defendant within sixty days after such filing. And the Court in which the said action was commenced may, in its discretion, at any time after the action shall be settled, discontinued or abated, as is provided in section 408, on application of any person aggrieved, and on good cause shown, and on such notice as shall be directed or approved by the Court, order the notice authorized by this section to be cancelled of record by the Clerk of any county in whose office the same may have been filed or recorded; and such cancellation shall be made by an endorsement to that effect on the margin of the record, which shall refer to the order, and for which the Clerk shall be entitled to a fee of twenty-five cents. *Provided Further,* That when the summons is published or served as above provided, the notice of the pendency of the action shall constitute notice for only five (5) years from the date of the filing of such notice, and, in order to provide constructive notice to a purchaser or encumbrancer of the property affected thereby, the said notice shall be refiled within five (5) years from the date of filing in the first instance, and within five (5) years from the date of any such refileing. In the event any such notice be refiled, the same shall be entered in the book provided therefor as required for the original entry, and the Clerk shall note upon the record of the filing that the same is a refileing of such notice, and shall also note thereupon the date of the first entry and the book and page at which the same is filed.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 23rd day of April, 1937.

(379)

No. 221.**AN ACT to Require Peddlers of Live Stock to Obtain a License Therefor Before Engaging in Business in Marion County.**

Section 1. License required peddle live stock, Marion County —exemptions.—Be it enacted by the General Assembly of the State of South Carolina: From and after the passage of this Act, each person, firm or corporation, except such as have, at the time, in Marion County, a regular established place of business for which the license fee as required by law, including municipal licenses, has been paid, before engaging in the business of peddling any live stock in Marion County, and the act of peddling shall be deemed to be carrying live stock from place to place over the county on foot or by vehicle and selling the same, or offering the same for sale, shall apply to, and obtain from, the Clerk of Court of Marion County a license so to do, and pay to him for each Calendar year, or part thereof, for the privilege of engaging in such business an annual license fee of Three Hundred (\$300.00) Dollars; *Provided*, That if any such person, firm or corporation desires to engage in such business for a limited number of days the license fee therefor shall be Fifty (\$50.00) Dollars for each day.

Nothing herein contained shall be construed to require any person, firm or corporation, irrespective of whether he be a regular dealer in live stock or not and whose place of business or residence may be beyond the confines of Marion County, to obtain a license to deliver to anyone in said County any live stock pursuant to a contract of sale theretofore made.

It is hereby made the duty of the Clerk of Court, when he issues any such license, to file with the Sheriff of the County the name and address of all such licenses and the length of time the licenses are to run.

§ 3. Penalty.—Any person, firm or corporation, violating the provisions of this Act shall be deemed guilty of a misdemeanor and each and every day in which he operates without a license shall be deemed a separate and distinct violation of this Act. For each such violation, upon conviction, he shall be subject to imprisonment for not more than thirty (30) days, or a fine of not more than One Hundred (\$100.00) Dollars.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 23rd day of April, 1937.

(380)

No. 222.

AN ACT to Amend an Act Entitled "An Act Providing for and Regulating the Letting of Contracts for Transportation of School Pupils in Hampton County", Approved the 15th Day of March, 1935, by Further Providing for the Letting of Said Contracts in Furman and Nixville Districts in Said County.

Section 1. Act 69, 1935 Acts, amended—letting of contracts transport school children, Furman and Nixville School Districts, Hampton County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of an Act entitled "An Act Providing for and Regulating the Letting of Contracts for Transportation of School Pupils in Hampton County", approved the 15th day of March, 1935, be, and the same is, hereby amended by adding at the end of said Section 1 the following:

"Provided that in Furman and Nixville School Districts the term of said contract, if it so be deemed advisable, may be made for four years;" so that said Section when so amended shall read as follows:

"Section 1. That in Hampton County the County Board of Education, in letting contracts for the transportation of school pupils, shall make same for a period of two (2) years, subject to the provisions of Section 5474, Code of Laws of South Carolina, 1932, and subject further to such regulations and requirements as may be made by the County Board of Education, as are not inconsistent with the laws of the State; *Provided*, That in Furman and Nixville School Districts the term of said contract, if it so be deemed advisable, may be made for four years."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 23rd day of April, 1937.

(381)

No. 223.**AN ACT to Regulate the Practice of Barbering in the State of South Carolina.**

Section 1. Have certificate of registration practice barbering for pay.—Be it enacted by the General Assembly of the State of South Carolina: On and after June thirtieth, one thousand nine hundred and thirty-seven, no person or combination of persons shall for pay either directly or indirectly, practice or attempt to practice barbering as hereinafter defined in the State of South Carolina without a certificate of registration either as a registered apprentice or as a registered barber issued pursuant to the provisions of this Act by the State Board of Barber Examiners hereinafter established.

§ 2. Practice of barbering defined.—Any one or combination of the following practices, when done for pay, shall constitute the practice of barbering in the purview of this Act:

- (a) Shaving or trimming the beard, or cutting the hair,
- (b) Giving facial or scalp massages, or treatments with oils, creams, lotions, and other preparations, either by hand or mechanical appliances.
- (c) Singeing, shampooing, or dyeing the hair or applying hair tonics.
- (d) Applying cosmetic preparations, antiseptics, powders, oils, clays, and lotions to the scalp, neck, or face.

§ 3. Registered apprentice—qualifications.—No person shall be issued a certificate of registration as a registered apprentice by the State Board of Barber Examiners, hereinafter established:

- (a) Unless such person is at least sixteen (16) years of age.
- (b) Unless such person passes a satisfactory physical examination prescribed by said State Board of Health.
- (c) Unless each person has completed at least a six months course in a reliable barber school or college approved by said Board of Barber Examiners, or six months under the personal supervision of a registered barber.
- (d) Unless such person passes the examination prescribed by the Board of Barber Examiners and pays the required fees hereinafter enumerated.

§ 4. Registered apprentice—operation of barber shop—service of apprenticeship.—No registered apprentice, registered under the provisions of this Act, shall operate a barber shop in the State,

but must serve his period of apprenticeship under the direct supervision of a registered barber, as required by Section five of this Act: *Provided, However*, that no apprentice nor any person who may qualify as an apprentice, who is operating a barber shop at the time this bill is enacted into law, shall be affected by the restrictions herein relating to the ownership and operation of barber shops by apprentices, until January First one thousand nine hundred and thirty-eight.

§ 5. Registered barber—qualifications.—Any person to practice barbering as a registered barber must have worked as a registered apprentice for a period of at least eighteen months under the direct supervisions of a registered barber, and this fact must be demonstrated to the Board of Barber Examiners by the sworn affidavit of three registered barbers, or such other methods of proof as the Board may prescribe and deem necessary. A certificate of registration as a registered barber shall be issued by the Board hereinafter designated, to any person who is qualified under the provisions of this Act, or meets the following qualifications:

- (a) Who is qualified under the provisions of Section three of this Act.
- (b) Who is at least eighteen (18) years of age.
- (c) Who passes a satisfactory physical examination as prescribed by said Board.
- (d) Who has practiced as a registered apprentice for a period of eighteen months, under the immediate, personal supervision of a registered barber; and
- (e) Who has passed a satisfactory examination, conducted by the Board, to determine his fitness to practice barbering, such examination to be so prepared and conducted as to determine whether or not the applicant is possessed of the requisite skill in such trade to properly perform all the duties thereof, including the ability of the applicant in his preparation of tools, shaving, hair-cutting, and all the duties and services incident thereto, and has sufficient knowledge concerning diseases of the face, skin, and scalp to avoid the aggravation and spreading thereof in the practice of said trade.

§ 6. State board of barber examiners—appointment—terms—removal.—A Board to be known as the State Board of Barber Examiners is hereby established, to consist of three members appointed by the Governor of the State. Each member shall be an experienced barber, who has followed the practice of barbering for at least five

years in the State. The members of the first Board appointed shall serve for three (3) years and two (2) years and one (1) year, respectively, after appointed, and members appointed thereafter shall serve for three (3) years. The Governor, at his option, may remove any member for good cause shown and appoint members to fill unexpired terms.

§ 7. Board—office—seal—secretary.—The Board shall maintain a suitable office in Columbia, South Carolina, and shall adopt and use a common seal for the authentication of its orders and records. Said Board shall elect its own officers, and in addition thereto shall elect a full time secretary, which secretary shall receive an annual salary not to exceed Eighteen Hundred (\$1800.00) Dollars, such salary, as well as all other expenses of said Board, to be paid only out of the revenue derived from fees collected under the provisions of this Act. Said full-time secretary shall keep and preserve all the records of the Board, issue all necessary notices to the barbers of the State, and perform such other duties, clerical and otherwise, as may be imposed upon him by said Board of Barber Examiners. Said full-time secretary shall turn over, as required by law, all moneys collected by him and render full, itemized, and detail reports therewith, as required by law. He shall, before entering upon the duties of his office, execute to the State of South Carolina a satisfactory bond, with a duly licensed bonding company in this State as surety, or other acceptable surety, such bond to be in the penal sum of not less than Ten Thousand (\$10,000.00) Dollars and conditioned upon the faithful performance of the duties of his office.

§ 8. Board—pay—report.—Each member of the Board of Barber Examiners, as herein created, shall receive for his services the sum of five (\$5.00) dollars per day for each day actually spent in the performance of his duties, and shall be reimbursed for his actual necessary expenses incurred in the discharge of his duties, both per diem allowances and expenses, to be paid only from the funds derived from the fees collected in the administration of this Act. The Board shall report annually to the Governor a full statement of its receipts and expenditures, and also a full statement of its work during the year, together with such recommendations as it may deem expedient.

§ 9. Examinations—duties of applicants.—Each applicant for an examination shall:

(a) Make application to the Board on blank forms prepared and furnished by the full-time secretary, such application to contain proof under the applicant's oath of the particular qualifications of the applicant.

(b) Pay to the Board the required fee.

(c) All applications for said examination must be filed with the full-time secretary at least thirty days prior to the actual taking of such examination by applicant.

§ 10. Examinations—time—place—subjects.—The Board shall conduct examinations of applicants for certificates of registration to practice as registered barbers, and of applicants for certificate of registration to practice as registered apprentices not less than four times each year, at such times and places as will prove most convenient, and as the Board may determine. The examination of applicants for certificates of registration as registered barbers and registered apprentices shall include such practical demonstration and oral and written test as the Board may determine.

§ 11. Certificates—issuance.—Whenever the provisions of this Act shall have been complied with the Board shall issue or have issued a certificate of registration as a registered barber or as a registered apprentice, as the case may be.

§ 12. Non-residents.—Persons who have practiced barbering in another State or country, and who moved into this State, shall prove and demonstrate their fitness to the Board of Barber Examiners, as herein created, before they will be issued a certificate of registration to practice barbering, upon payment of Ten (\$10.00 Dollars examination fee.

§ 13. Registration of present practitioners of barbering.—The procedure for the registration of present practitioners of barbering shall be as follows:

(a) If such person has been practicing barbering for a shorter period of time than eighteen (18) months he shall, upon paying the required fee and making an affidavit to that effect to the Board of Barber Examiners, be issued a certificate of registration as an apprentice.

b. If such person has been practicing barbering in the State of South Carolina for more than eighteen (18) months he shall, upon paying the required fee making an affidavit to that effect to the Board of Barber Examiners, be issued a certificate of registration as a registered barber.

c. All persons, however, who are not actively engaged in the practice of barbering at the time this bill is enacted into law shall be required to take the examination herein provided, and otherwise comply with the provisions of this Act before engaging in the practice of barbering.

d. All barber shops shall be registered with Board. The registration fee shall be one (\$1.00) dollar per year.

§ 14. Fees.—The fee to be paid by an applicant for a certificate of registration to practice barbering as an apprentice is three (\$3.00) dollars, and such fee must accompany his application. The annual license fee of an apprentice shall be one and fifty one hundredths (\$1.50) dollars. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered barber is five (\$5.00) dollars. The annual license fee of a registered barber shall be three (\$3.00) dollars. All licenses, both for apprentices and for registered barbers, shall be renewed as of the thirtieth day of June of each and every year, and such renewals for apprentices shall be one and fifty one hundredths (\$1.50) dollars, and for registered barbers three (\$3.00) dollars. The fee for registration of an expired certificate for registered barbers shall be five (\$5.00) dollars, and registration of expired certificate of an apprentice shall be three (\$3.00) dollars. The fees herein set out are not to be increased by the Board of Barber Examiners, but said Board may regulate the payment of said fees and prorate the license fees in such manner as it deems expedient.

§ 15. Exemptions.—The following persons are exempt from the provisions of this Act while engaged in the proper discharge of their professional duties:

- (a) Persons authorized under the laws of the State to practice medicine and surgery.
- (b) Commissioned medical or surgical officers of the United States Army, Navy, or Marine Hospital Service.
- (c) Registered Nurses.
- (d) Students in schools, colleges, and universities, who follow the practice of barbering upon the school, college, or university premises for the purpose of making a part of their school expenses.
- (e) Undertakers.
- (f) Persons practicing hair dressing and beauty culture in hair-dressing and beauty shops patronized by women.

§ 16. Rules and regulations—inspect shops and schools.—The State Board of Barber Examiners shall have authority to make reasonable rules and regulations for the sanitary management of barber shops and barber schools and for the administration of the provisions of this Act, and to enforce said rules and regulations. The sanitary rules and regulations so prescribed to be approved by the State Board of Health. Any member of the Board, and its agents and assistants, and inspectors shall have authority to enter upon and inspect any barber shop or barber school at any time during business hours in the performance of the duties conferred or imposed by this Act. A copy of the rules and regulations adopted by the Board of Barber Examiners shall be furnished by said Board to the owner or manager of each barber shop or barber school in the State, and such copy shall be posted in a conspicuous place in each barber shop or barber school, together with the rating of the inspection so made.

§ 17. Display certificate.—Every holder of a certificate of registration shall display it in a conspicuous place adjacent to or near his work chair.

§ 18. Certificate—renew—time expire.—Every registered barber and every registered apprentice who continues in active practice or service shall annually, on or before June thirtieth of each year, renew his certificate of registration and pay the required fee. Every certificate of registration which has not been renewed during the month of June in any year shall expire on the First day of July in that year. A registered barber or a registered apprentice whose certificate of registration expired may have his certificate restored immediately upon payment of the required restoration fee. Any registered barber who retires from the practice of barbering for not more than five (5) years may renew his certificate of registration upon payment of the required restoration fee.

§ 19. Certificate—refuse issue or renew—suspend—revoke.—The Board may either refuse to issue or renew or may suspend or revoke any certificate of registration for any one or combination of the following causes :

1. Conviction of a felony shown by certified copy of the record of the court of conviction.
2. Gross malpractice or gross incompetency.
3. Continued practice by a person knowingly having an infectious or contagious disease.

4. Advertising by means of knowingly false or deceptive statements.

5. Habitual drunkenness or habitual addiction to the use of morphine, cocaine, or other habit-forming drugs.

6. The commission of any of the offenses described in Section twenty-one, subdivisions three, four, and six.

§ 20. Not refuse issue or renew, nor suspend or revoke certificate until accused notified and hearing had—appeal.—The Board may neither refuse to issue or refuse to renew, nor suspend or revoke any certificate of registration, however, for any of these causes unless the person accused has been given at least twenty days notice in writing of the charges against him and public hearing by the Board.

Upon hearing of any such proceeding the Board may administer oaths and may procure by its subpoena the attendance of witnesses and the production of relevant books and papers.

Any barber in the State whose case has been passed upon by the Board of Barber Examiners shall have the right and is hereby given the right to appeal to the Court of Common Pleas of the State, which court may in its discretion reverse or modify any order made by the said Board of Barber Examiners.

§ 21. Penalty.—Each of the following constitutes a misdemeanor, punishable upon conviction by a fine of not less than ten (\$10.00) dollars, nor more than fifty (\$50.00) dollars.

1. The violation of any of the provisions of Section 1 of this Act.

2. Permitting any person in one's employ, supervision, or control to practice as an apprentice unless that person has a certificate of registration as a registered apprentice.

3. Permitting any person in one's employ, supervision, or control to practice as a barber unless that person has a certificate as a registered barber.

4. Obtaining or attempting to obtain a certificate of registration for money other than required fee, or any other thing of value, or by fraudulent misrepresentations.

5. Practicing or attempting to practice by fraudulent misrepresentations.

6. Wilful failure to display a certificate of registration as required by Section seventeen.

7. The wilful and continued violation of the reasonable rules and regulations adopted by the State Board of Barber Examiners for the sanitary management of barber shops and barber schools.

§ 22. **Records.**—The Board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension, and revocation of certificates of registration. This record shall also contain the name, place of business and residence of each registered barber and registered apprentice, and the date and number of his certificate of registration. This record shall be open to public inspection at all reasonable times.

§ 23. **Further exemptions.**—This Act shall not apply to persons occasionally doing barber's work at a distance of five (5) miles or more from any town, whether incorporated or not: *Provided*, the provisions of this Act shall not apply to any person who shall perform the services of a barber for members of his own family or for persons with whom he is in the relation of employer or employee or landlord and tenant.

§ 24. **Invalidity.**—If any Section of this Act shall be declared unconstitutional for any reason the remainder of this Act shall not be affected thereby.

§ 25. **Repeal.**—All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 26. **Time effective.**—This Act, upon the approval of the Governor, shall become effective from and after June 30th, 1937.

Approved the 22nd day of April, 1937.

(383)

No. 224.

AN ACT to Provide That There Shall be No Closed Season for the Hunting, Shooting, Catching and Killing of Foxes in Kershaw County, Except in Flat Rock Township in Said County. To Prohibit the Use of Steel Traps in Catching Foxes in Said County and to Provide the Penalty of Violation Thereof.

Section 1. Shoot, catch and kill foxes any time, Kershaw County—exception.—Be it enacted by the General Assembly of the State of South Carolina: There shall be no closed season for the hunting, shooting, catching and killing of foxes in Kershaw County and it shall be lawful at any time to hunt, shoot, catch and kill fox in said County, *Provided*, that the provisions of this Section shall not apply in Flat Rock Township in said County.

§ 2. **Not use steel traps catch foxes, Kershaw County.**—That it shall be unlawful to use steel traps in catching fox in said County and any person so doing shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not exceeding One Hundred (\$100.00) Dollars or imprisonment not exceeding thirty (30) days within the discretion of the court.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 23rd day of April, 1937.

(384)

No. 225.

AN ACT to Provide for Distribution of the Shad Fry From Andrews Shad Hatchery Into Several Rivers Whose Waters Flow Into Winyah Bay, According to the Size and Length of the Respective Streams.

Section 1. Distribution of shad fry from Andrews shad hatchery.—Be it enacted by the General Assembly of the State of South Carolina: That the State Board of Fisheries is directed to ascertain the natural spawning ground along the Black River; Lynch's River; Great Pee Dee River; Little Pee Dee River; the Waccamaw River, and the Sampit River, the waters of which eventually flow into Winyah Bay, and to distribute the shad fry or fingerling from the Andrews Shad Hatchery, located on Black River, at the spawning grounds, as ascertained on the said rivers, as far from the mouths of the respective streams as practical. The distribution shall be made upon the basis of the length and size of the respective streams.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 23rd day of April, 1937.

(385)

No. 226.

AN ACT to Amend Section 63 of the Code of Laws of South Carolina, 1932, as Amended by an Act Entitled "An Act to Amend Section 63, Volume 1, Civil Code, Code of Laws of South Carolina, 1932, so as to Fix the Time for the Holding of General Sessions and Common Pleas Court of Pickens

County'', Known as Act No. 755 of the Acts of 1932, so as to Further Provide for the Terms of Court in Greenville County.

Section 1. § 63, 1932 Code, amended—terms of court, Greenville County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 63 of the Code of Laws of South Carolina, 1932, as amended by an Act entitled 'An Act to Amend Section 63, Volume 1, Civil Code, Code of Laws of South Carolina, 1932, so as to Fix the Time for the Holding of General Sessions and Common Pleas Court of Pickens County', known as Act No. 755 of the Acts of 1932, be, and the same is, hereby amended by striking out all of Sub-section 1 of Section 63 and inserting in lieu thereof the following, to be known as Sub-section 1:

'(1). Greenville County—Court of Common Pleas at Greenville for the County of Greenville, the fourth Monday in January, three weeks; the fourth Monday in March, two weeks for jury trials and one week for equity cases; third Monday in May, two weeks; third Monday in June, two weeks; second Monday in September, two weeks; second Monday in October, two weeks and the second Monday in November, two weeks for jury trials and one week for equity cases.

Court of General Sessions at Greenville for the County of Greenville the second Monday in January, two weeks; second Monday in March, two weeks; first Monday in May, two weeks; first Monday in September, one week; fourth Monday in October, two weeks; and the first Monday in December, one week.", so that said Section 63, when so amended, shall read as follows:

'Section 63. (1): Greenville County—Court of Common Pleas at Greenville for the County of Greenville, the fourth Monday in January, three weeks; the fourth Monday in March, two weeks for jury trials and one week for equity cases; third Monday in May, two weeks; third Monday in June, two weeks; second Monday in September, two weeks; second Monday in October, two weeks and the second Monday in November, two weeks for jury trials and one week for equity cases. Court of General Sessions at Greenville for the County of Greenville the second Monday in January, two weeks; second Monday in March, two weeks; first Monday in May, two weeks; first Monday in September, one week; fourth Monday in October, two weeks; and the first Monday in December, one week.

(2) The Court of General Sessions at Pickens, for the County of Pickens, the third Monday in February, one week; first Monday in June, one week; fourth Monday in September, one week.

The Court of Common Pleas at Pickens, for the County of Pickens, the fourth Monday in February, two weeks; the second Monday in June, one week; the first Monday in October, one week.'

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect as of May 1, 1937, and/or upon its approval by the Governor.

Approved the 23rd day of April, 1937.

(386)

No. 227.

AN ACT to Provide for the Formation and the Management of a County Forest Fire Control Organization and Providing for the Systematic Care and Management of Forests and Wild Land Areas in Colleton County, in South Carolina; for the Protection of Forest Lands; to Promote Reforestation on Denuded and Under-Stocked and Sub-Marginal Areas Within the County; Defining Forests and Forest Fires; and Providing for the Financing Thereof.

Section 1. Short title.—Be it enacted by the General Assembly of the State of South Carolina: This Act shall be cited as the "Colleton County Forest Fire Control Organization Act."

§ 2. **Declaration of Colleton County delegation.**—It is hereby declared that the protection against fire and the preservation of the forests of Colleton County, as herein defined, are essential for the economic welfare of the whole county and its people.

§ 3. **Forest fire control organization district.**—That for the purpose of providing for the protection of forest lands, to promote reforestation on denuded and under-stocked and sub-marginal areas, and to aid in the enforcement of all laws pertaining to forests and other lands, Colleton County, for the purpose of this Act, is under the provisions hereof, created a Forest Fire Control Organization District.

§ 4. **Work under state commission of forestry and state forester.**—All fire prevention and control work in this Forest Fire Control Organization District, created by this Act, shall be under the

direction of the South Carolina State Commission of Forestry and the State Forester, subject to the provisions of this Act and the laws of the State and Federal Government now, or hereafter, enacted, relative to forestry and forest fire prevention and control.

§ 5. Forest land.—For the purpose of this Act, all lands within said fire District shall be construed "Forest Land" which has enough forest growth, standing or down, or has sufficient inflammable debris or grass outside of corporate limits of towns to constitute, in the judgment of the South Carolina State Commission of Forestry, a fire menace to itself or adjoining lands.

§ 6. Forest fire.—The term "Forest Fire", as used in this Act, means any fire burning un-controlled on any land covered wholly or in part by timber, brush, grass or other inflammable vegetation.

§ 7. Appropriate annually for expenses.—Colleton County is hereby obligated to appropriate annually an amount sufficient to defray the expenses incident to the forest fire control herein provided for at the rate of not less than Four Thousand Dollars a year. The County Treasurer shall on the first day of July annually, commencing July 1, 1937, pay over to the State Forestry Commission the amount so appropriated, and the voucher, check or other method of payment made by said Treasurer shall be complete discharge of the said Treasurer hereunder.

§ 8. Board—appointment—term—vacancy.—There shall be set up a board consisting of five (5) members of which one shall be the State Forester (or his representative—a member of the State Forest Service) with full voting power; one shall be a member of the Colleton County Legislative Delegation to the General Assembly to be selected by the said Delegation; and the remaining three shall be the County Auditor, the County Sheriff, and the County Supervisor of Colleton County. Their tenure on the said board shall be co-terminous with their said office, and their respective successors shall become members of the said board.

§ 9. Duties of board—meetings—appoint wardens, patrolmen and towermen.—The duties of the board shall be to serve in an advisory and executive capacity for the performance of the provisions of this Act. They shall hold at least two meetings in each year, one during the month of October and one during the month of February. They shall modify and/or approve the Forest Fire Control plan set up for the organization area by the State Commission of Forestry. They shall modify and/or approve the budget set up for the carrying

on of the fire control plan. They shall appoint the necessary wardens, patrolmen and towermen, subject to the approval of the State Commission of Forestry. They shall further define the forest land area of the County in accordance with acreage, as described in Section 7.

§ 10. Forest fire wardens—duties and powers.—Each Forest Fire warden shall have the power, and his duties shall be, (a) to act as the field representative of the State Forester, (b) to control and forward to the State Forester, through the proper channels, such data in his district as may be required by the State Forester, (c) to report to the State Forester conditions existing within his district which are, or may become, forest fire hazards, and to perform such other acts and duties as may be necessary in the opinion of the State Forester to conform with the purposes of of this Act.

§ 11. Duties and powers of state commission of forestry and state forester.—The State Commission of Forestry and the State Forester shall compile for the October meeting of the Forestry Board in each year a fire control plan for the Fire Control Organization Area and a budget itemizing the expenditures to be made during the year following. It shall, following the approval of that fire plan and budget, be the governing body of all fire control activities within the Fire Control Organization Area and shall have power to make and enforce all rules and regulations necessary for the administration and government of the area from the standpoint of forest fire prevention and control service, to recommend personnel to be employed as fire wardens, and to be the authorized agent of the Forestry Board to administer the acts of said Board under the authority granted by this Act. The State Forester and his agents, or members of the State Commission of Forestry, or of the Forest Fire Control Organization area, shall have the right at any or all times to go upon any land within the area for the purpose of fighting or controlling forest fires, as defined herein, without making himself liable for trespassing.

§ 12. Owners may burn over their lands.—Nothing in this Act shall be construed as limiting and restricting the owners of any forest land within the Organization Area burning over their own lands where the fire is not allowed to spread onto or over the land of another or others.

§ 13. Invalidity.—If any section, sub-section, sentence, clause, or phrase of this Act is, for any reason, held to be unconstitutional,

such decision shall not affect the validity of the remaining portions of this Act.

§ 14. All Acts or parts of Acts, inconsistent with this Act, are hereby repealed to the extent of such inconsistency.

§ 15. This Act shall take effect immediately upon its approval by the Governor.

Approved the 23rd day of April, 1937.

(387)

No. 228.

AN ACT to Further Provide for the Appointment of the Trustees for the Aiken County Hospital and Fix Their Terms of Office; to Provide for the Appointment of a Superintendent and a Business Manager of Said Hospital, and to Prescribe Their Powers and Duties and Fix Their Compensation.

Section 1. Trustees, Aiken County hospital—appointment—terms—vacancy.—Be it enacted by the General Assembly of the State of South Carolina: The Board of Trustees of the Aiken County Hospital shall consist of five (5) members, one of whom shall be appointed by the Aiken Hospital and Relief Society, one by the Mayor and Council of the City of Aiken and three by the Aiken County Legislative Delegation in the General Assembly. The trustees first appointed after the approval of this Act shall each serve for the following terms, that is to say, the one appointed by the Aiken Hospital and Relief Society shall serve for two years, the one appointed by the Mayor and Council of the City of Aiken shall serve for three years, and of the number appointed by the Legislative Delegation, one shall serve for three years and the other two shall serve for two years each. After the expiration of the terms of said Trustees, to be first appointed as aforesaid, all of their terms and/or the terms of their respective successors shall be for the period of three years, and until their successors shall have been appointed and qualified. All vacancies occurring on said Board of Trustees for whatever cause shall be filled by appointment for the unexpired term in the manner hereinabove provided for the appointment of said Trustees.

§ 2. Duties and powers—superintendent—business manager.—Immediately after their appointment said Trustees shall take charge and control of said hospital, and direct the management, operation

and supervision thereof; and to that end said Trustees shall appoint a Superintendent and a Business Manager. The Superintendent shall have complete charge and supervision over the hospitalization, medical and/or surgical treatment of all patients admitted to said hospital and all other matters and things incident thereto, all of which powers and duties shall be exercised and discharged in conformity with and subject to all rules and regulations promulgated and adopted by said Board for the government of said hospital. The Business Manager of said hospital shall supervise and manage the business and financial affairs of said hospital and discharge all duties and exercise all powers which may be conferred upon him by said Board, and in conformity with and subject to such rules and regulations as said Board of Trustees may promulgate and adopt for the operation and government of said hospital. *Provided, However,* The appointment of employment of a manager shall not be mandatory; but the Trustees may employ or appoint such manager if in their judgment his employment will contribute to the more efficient operation of the hospital; and in the event the Board should deem it unnecessary to employ or appoint such manager, the Board may devolve the duties of the manager upon such other person or employee as it may deem proper.

§ 3. Compensation of superintendent and business manager.—Said Superintendent shall receive such compensation for his services as said Board of Trustees may prescribe, and said Business Manager shall receive for his services such compensation as said Board may prescribe, not exceeding, however, the sum of two thousand (\$2,000.00) dollars per annum.

§ 4. Free treatment.—No person residing beyond the bounds of Aiken County shall be admitted to said hospital for free treatment except in cases of and for extreme emergency. And as to the merit of all claims for charity or free treatment for patients who reside within Aiken County, the said Business Manager shall be the judge. *Provided,* Any party feeling aggrieved with said Manager's decision may appeal therefrom to said Board of Trustees whose decision thereon shall be final.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 6. This Act shall become effective immediately upon its approval by the Governor.

Approved the 23rd day of April, 1937.

(389)

No. 229.

AN ACT to Amend an "Act to Provide for the Creation and Appointment of a Supervisor and County Commissioners, Consisting of Nine, One From Each Township; to Provide the Salaries, Duties, Manner of Appointment and Terms of Office; and to Provide for the Maintenance and Construction of Highways in York County; to Provide for Procuring of Finances for the Maintaining of the Highways in Each Township", so as to Provide for the Appointment of a County Attorney and the Janitor of the Court House, by the York County Legislative Delegation.

Section 1. Act 692, 1932 Acts, amended—York County legislative delegation appoint janitor of court house and county attorney.—Be it enacted by the General Assembly of the State of South Carolina: That Section 15, of an Act entitled, "An Act to Provide for the Creation and Appointment of a Supervisor", etc., known as Act No. 692, of the Acts of the General Assembly, 1932, approved March 12, 1932, be, and the same is hereby amended by striking out of said Section the words, "The janitor of the Court House", in line 7 thereof, and the words, "And the County Attorney", in lines 8 and 9 thereof; and by adding at the end of said Section the following: "*Provided*, That the Janitor of the Court House and the County Attorney for York County shall be appointed by a majority of the York County Legislative Delegation", so that Section 15 of Act No. 692, 1932, when so amended shall read as follows:

"Section 15. The County Board of Commissioners and the Supervisor shall have the general supervision, conduct and control of all the County affairs except those heretofore delegated in this Act, and they, or a majority thereof, shall appoint its Clerk, Superintendent and Assistant Superintendent of the County Home, the County Physician, a road Engineer whenever his services are necessary: *Provided*, That the Janitor of the Court House and the County Attorney for York County shall be appointed by a majority of the York County Legislative Delegation."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of April, 1937.

(392)

No. 230.

AN ACT to Require the District Boards of Trustees to Submit Budgets of the Operating Expenses of the Several School Districts of Clarendon County for the Approval of the County Board of Education; to Provide for the Payment of Said Budgets and the Fixing of the Special Levies in Said School Districts.

Section 1. Trustees report annually on school expenses and revenue, Clarendon County.—Be it enacted by the General Assembly of the State of South Carolina: The various Boards of Trustees of the School Districts of Clarendon County shall each, respectively, on or before June 1st of each year, submit to the County Superintendent of Education of said County estimates of the necessary expenditures for the operation of said school districts during the ensuing School year, together with estimates of the revenue, including State aid, applicable thereto, and said budgets shall be reviewed by the County Board of said County and approved or disapproved after all necessary consultation with the district Boards.

§ 2. Increase special school levies.—If in the judgment of the County Board the special levy for district purposes for the preceding year in any District is insufficient to provide for the necessary operating expenses for the ensuing year, said County Board shall, if desired by the local Board, provide for an election in any such school district to increase said special levy, and, if the result of said election (which shall be held in accord with the existing law upon such subject but without petition therefor) is favorable to the proposed increase in the special levy, the result of such election shall be declared and certified by the County Board to the County Auditor who shall apply the increased levy, enter same on his books, and it shall be the duty of the Treasurer to collect such levy as other property taxes are collected and *Provided*, The special levy in any school district, increased hereunder, shall never exceed twenty (20) mills. •

§ 3. Reduce special school levies.—The County Board of Education shall have the power and authority, after approval by it of the annual budget of any School District, to order the reduction for the current year of the special school levy in any school district where such levy may be decreased, without apparent danger of a deficit in the operation of the schools of the said District during the

following school year; and the County Auditor shall accept the certificate of the County Board of Education for such reduction in levy.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(393)

No. 231.

A JOINT RESOLUTION to Exempt Any and All Manufacturing Enterprises Hereafter Locating in Either Charleston or Georgetown or York Counties, or Recently Located in Either of Said Counties, the Plant or Plants of Which are in Process of Construction, and the Capital Stock of Which is Not Less than Three Hundred Thousand (\$300,000.00) Dollars, From County Taxes for a Period of Ten Years.

Section 1. Certain manufacturing enterprises exempt from county taxes, Charleston, Georgetown, and York Counties.—Be it resolved by the General Assembly of the State of South Carolina: That any and all manufacturing enterprises hereafter locating in either Charleston or Georgetown or York Counties, or any manufacturing enterprise recently located in either one of the said counties, and the plant or plants of which are in process of construction, and the capital stock of which is not less than Three Hundred Thousand (\$300,000.00) Dollars, be, and the same are hereby, exempt from the payment of county taxes for a period of ten (10) years from this date; in the case of enterprises already located and now under construction, such exemption shall date from the commencement of the word of construction.

§ 2. All Acts or parts of Acts; Joint Resolutions or parts of Joint Resolutions inconsistent with the purpose of this Joint Resolution be, and the same are, hereby repealed.

§ 3. This Joint Resolution shall take effect upon its approval by the Governor.

This Joint Resolution became effective when the Governor, to whom it was presented April 27, 1937, neither approved it nor returned it to the House in which it originated within three days, the General Assembly being in session.

(394)

No. 232.

AN ACT to Provide for the Holding of an Election in Abbeville, South Carolina, on the Question of Issuing \$5,000.00 in Coupon Bonds for the Purpose of Building an Annex to the Abbeville County Memorial Hospital; for the Expenditure of the Proceeds of Sale; for the Payment of the Principal and Interest of Said Bonds; to Provide for a Hospital Commission, and to Define Its Powers and Duties.

Section 1. Election on issuing bonds build annex to Abbeville County memorial hospital, Abbeville County.—Be it enacted by the General Assembly of the State of South Carolina: That an election shall be held in the County of Abbeville, South Carolina, at the legal voting precincts in said County, on the 28th day of June, 1937, upon the question of issuing coupon bonds of the said county in the amount of Five Thousand (\$5,000.00) Dollars, for the purpose of building an annex to the Abbeville County Memorial Hospital. The Commissioners of election for State and County officers for Abbeville County shall appoint the managers of said election, receive and tabulate the returns and declare the result, as in other elections, they shall report the result of said election in writing in duplicate, one copy of which shall be filed in the office of the Clerk of Court for Abbeville county and recorded by him, and the other copy shall be filed with the Secretary of State, and the said duplicate report shall be kept on perpetual record in said offices. Notice of said election shall be published in said county once in each of three successive weeks preceding said election. Said election shall be held and conducted under the laws governing the holding of general elections in this State, and all registered electors of said county shall be entitled to vote thereat, and the books of registration shall be furnished the managers as in other elections. The managers of said election shall receive one dollar each as compensation for their services.

§ 2. Election—ballots—time contest.—The Board of County Commissioners shall furnish a sufficient number of ballots for use at said elections. The qualified electors voting in favor of the issuing of said bonds shall cast a ballot with the following words plainly written or printed thereon; "Bond issue for annex to hospital, yes". Those opposed to the issuing of said bonds shall cast a ballot with the following words plainly written or printed thereon: "Bond issue for Annex to Hospital, no".

The validity of said election and the correctness of the declaration of the result thereof shall not be open to question in any Court, except in an action or proceeding instituted within thirty days after the declaration of the result.

§ 3. Election favorable sell bonds.—If a majority of the ballots cast in said election shall be for the issuing of said bonds, the Commissioners hereinafter provided for, to be known as the Hospital Commissioners of Abbeville County, shall advertise for sealed bids on said bonds and shall sell the same in such lots and at such times as said Commissioners may deem best and advisable; *Provided*, That all bonds shall be dated either January 1st, or July 1st, and the Hospital Commissioners shall have the right to reject any and all bids and readvertise for bids, if they deem such a course advisable. That said bonds shall not be sold for less than par, nor bear interest at a greater rate than five (5%) per cent. payable semi-annually.

§ 4. Bonds.—The said bonds shall be known as Hospital Annex Bonds; shall be of the denomination of Five Hundred (\$500.00) Dollars each, and shall be serial bonds, maturing in series or installments of Five Hundred (\$500.00) Dollars each year, the first of which shall be due and payable not more than two years after the date of the bonds. They may be made payable within or without the State of South Carolina and in such medium of payment as may be indicated on the face of the bonds. They shall be issued as Coupon bonds, payable to bearer, but may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer and the principal thus made payable to the registered holder (or to bearer, if the last registered transfer be to bearer) upon such conditions as the said Hospital Commission may prescribe. Bonds shall be signed by the Chairman and Secretary of the said Hospital Commission and the seal of the county of abbeville shall be impressed thereon or affixed thereto. The coupons to be attached to said bonds, however, shall be authenticated by a printed, etched, lithographed or engraved facsimile signature or signatures of one or both of said officers. The delivery of bonds so executed shall be valid, notwithstanding any change in officers or seal occurring before the delivery. The bonds shall be issued and their form and tenor determined by or under the direction of the said Hospital Commission, a majority of the members of which shall constitute a quorum. The bonds shall be exempt from all State, County, School and municipal taxes.

§ 5. **Payment of bonds.**—Until the principal and interest of all bonds issued under this Act shall be fully paid it shall be the duty of the County Auditor to assess and levy annually on all taxable property of said county, a tax sufficient to pay the principal and interest of said bonds as such principal and interest fall due, which tax shall be annually collected by the County Treasurer and applied to said purposes by or under the direction of the County Treasurer.

§ 6. **Pledge pay bonds.**—The full faith, credit and resources of the County of Abbeville shall be deemed to be pledged for the prompt payment of the principal and interest of said bonds, whether the bonds so state or not.

§ 7. **Deposit and disbursement of funds.**—The fund arising from the sale of said bonds shall be deposited to the credit of the Treasurer of Abbeville County in a separate fund, to be known as the Hospital fund, in the several banks of Abbeville County, according to and in the proportion of the combined capital stock and surplus of each bank, as nearly as may be practicable, at a rate of interest satisfactory to the Hospital Commission, from the date of the deposit until the said deposit is withdrawn. Said fund shall be paid out by the Treasurer upon the warrant of the Chairman of said Hospital Commission, and at least one other member of said Commission.

§ 8. **Hospital commission of Abbeville County.**—The Hospital Commission of Abbeville County shall be composed of three members, citizens of Abbeville County, viz: S. H. Rosenberg, G. M. Telford, and R. B. McDill from among whom shall be selected by the said Hospital Commission a Chairman and Secretary. Should a vacancy occur in said Commission, it shall be filled by the Governor, upon the recommendation of a majority of the Delegation from said county in the General Assembly. The members of the said Commission shall receive no compensation except their actual expenses while engaged in their duties as Commissioners, and each shall hold office for two years, at which time the office shall expire and determine.

§ 9. **Contracts for work—architect—clerk—attorney.**—The Hospital Commission shall let all of the work including material necessary for the building of the Annex by contract. The contracts shall be let to the lowest responsible bidder, and shall not be on a "Cost plus basis." The Commission shall have the right to employ an

Architect, a Clerk and an Attorney, and pay such reasonable compensation for their work as to them is proper.

§ 10. **Records—reports.**—That said Commission shall keep books, which shall be open for public inspection at all reasonable times. They shall also present to the February, June and September term of Court of General Sessions of Abbeville County an itemized statement of all funds received and disbursed by them, which report shall be a part of the record of said court. At the expiration of the life of said Commission, all its contracts, papers and books of account shall be turned over to the Clerk of Court of said County and filed in his office.

§ 11. **Payment of election expenses.**—The expenses of conducting the election on the issuance of said bonds shall be paid out of the current funds of Abbeville County, upon the warrant of the Supervisor and Board of County Commissioners.

§ 12. **Members of commission have no interest in contracts nor employ certain persons.**—No member of said Hospital Commission shall take a contract to furnish labor or material for the public improvements authorized under this Act, nor shall the Commission employ in any capacity any person related by blood or marriage to any member of said Commission within the sixth degree.

§ 13. **Prerequisite to issuing bonds.**—That no bonds are to be issued pursuant to this Act until the Hospital Commission shall have been assured of donations of at least Five Thousand (\$5,000.00) Dollars to match bonds herein to be issued.

§ 14. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 15. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(395)

No. 233.

AN ACT to Further Regulate the Amount of Tuition Payable to the High School Districts of Clarendon County on Account of the Attendance Upon High School of Pupils Residing in Common School Districts.

Section 1. Tuition payable to high school districts for attendance upon high school of pupils residing in non-high school districts, Clarendon County.—Be it enacted by the General Assembly

of the State of South Carolina: The amount of the monthly tuition payable by non-high school districts of Clarendon County to High School Districts wherein pupils attend from the former, provided by section 5623 of Volume II of the Code of Laws of 1932, shall be Twelve (\$12.00) Dollars per month, instead of the present Eight (\$8.00) Dollars per pupil per month, for such school years as the State may provide aid for teachers' salaries for all save one month, that is to say that where a High School District is entitled to only one month's tuition on account of non-resident high school pupils, the monthly rate shall be Twelve (\$12.00) Dollars per pupil, but when a high school district of said County shall be entitled to more than one month non-resident tuition, the rate shall be as now fixed by law, to wit, Eight (\$8.00) Dollars per pupil per month.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of April, 1937.

(396)

No. 234.

AN ACT to Set Up Charleston County's Portion of Gasoline Taxes in a Separate Fund in the County Treasurer's Office and to Provide for the Operation of the Sanitary and Drainage Commission Therefrom and for the Expenditure of the Same.

Section 1. Keep funds received from gasoline tax in separate fund, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the 1st day of July, 1937, the County Treasurer of Charleston County shall set up and keep in a separate fund and account all moneys received from the State of South Carolina, or any department or division thereof, as said County's portion of the gasoline taxes collected by said state and distributed among the several counties in the state, which said moneys and fund shall be expended as in this Act provided.

§ 2. **Budget of sanitary and drainage commission.**—That the Sanitary and Drainage Commission of Charleston County shall, annually on or before the 1st day of June in each year, commencing in the year 1937, file with the Charleston County Legislative Delegation a statement or budget of its proposed operation and expenditures

for the ensuing fiscal year. Said statement or budget^e shall be approved in writing by the Senator and a majority of the members of the House of Representatives for Charleston County, either as submitted or as amended or changed by said Legislative Delegation, and when so approved, it shall constitute the budget of the said Sanitary and Drainage Commission for the ensuing fiscal year, and a copy thereof shall thereafter forthwith be filed with the County Treasurer of said County, by said Sanitary and Drainage Commission.

§ 3. Use gasoline tax pay budget.—When said approved budget shall have been filed with the County Treasurer, as above required, the fund and moneys referred to in Section 1 hereof shall be from time to time expended and paid over by said County Treasurer to said Sanitary and Drainage Commission upon warrants of said Commission signed by the Chairman and Treasurer of said Commission. Said fund and moneys shall be expended only for such items and purposes and in not exceeding such amounts as shall be stated and contained in the approved budget referred to in Section 2 hereof; *Provided, However*, that if there be filed with said County Treasurer during any fiscal year any changes or amendments of said approved budget which changes or amendments are approved in writing by the Senator and a majority of the members of the House of Representatives for Charleston County, the original approved budget, as changed and amended thereby shall constitute the approved budget for such fiscal year, for the purposes of this Act.

§ 4. Disposition of surplus funds from gasoline tax.—That the remainder of the fund and moneys referred to in Section 1 hereof not provided to be expended in said approved budget shall be retained in the fund and account provided for by Section 1 hereof, and shall be expended and paid out by said County Treasurer from time to time for such purposes and in such amounts as shall be directed in Resolution or Resolutions from time to time adopted by the Senator and a majority of the members of the House of Representatives for Charleston County at a meeting or meetings of the Charleston County Legislative Delegation duly called and held.

§ 5. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(398)

No. 235.

AN ACT to Provide for the Appointment and Number of Trustees of School District # 32 in Darlington County, to Define Their Powers and Duties, and to Validate All Acts of the Trustees of Said School District Since the Second Day of April, 1930.

Section 1. Trustees, Hartsville School District No. 32, Darlington County—number—present members complete terms.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Trustees of Hartsville School District # 32, in Darlington County, shall consist of five (5) members, to be appointed for the terms and as now provided by law: *Provided*, That T. E. McAlpine, J. H. Martin, R. P. Gillespie, P. H. Rogers and C. L. Kalber, now acting as Trustees for said School District, do continue to act for the term for which they were appointed, whether said appointment was originally legal or not.

§ 2. Officers—meetings.—That said Board of Trustees shall elect from its members a Chairman and also a Secretary and Treasurer. The Chairman shall call meetings of the Board whenever, in his judgment, a meeting is needed, or whenever three (3) members of the Board shall unite in requesting him to do so. The Treasurer shall enter into a bond in the sum of \$5,000.00, secured by a duly licensed surety company, conditioned for the faithful performance of his duties, to be approved by the Board of County Directors of Darlington County, and said Treasurer may issue warrants or checks on the County Treasurer, and said checks or warrants, when countersigned by the Chairman, shall be paid out of any funds belonging to said school district. The offices of Secretary and Treasurer may be combined; and either, or both, of said offices may be held by one other than a member of the Board of Trustees.

§ 3. Duties and powers.—That the said Board of Trustees, in addition to the duties and powers prescribed by law for Trustees of school districts, shall have power, and it shall be their duty, to determine the studies and class books to be used in the schools of said district; to elect and dismiss the teachers; to fix their salaries; to prescribe their duties and to make rules for the government of the schools; to make an annual report of the schools in said district to the County Superintendent of Education on or before the first Monday in July of each year; and to take in charge and keep in order

all buildings and other property belonging to, or used for carrying on, the schools of said districts.

§ 4. **Free instruction to children of district—charge nonresidents.**—That there shall be furnished in the schools of said district instruction free of charge to all children residing in said district and instruction may be furnished to nonresident children upon such terms as said Board of Trustees may determine.

§ 5. **Body politic.**—That said Hartsville School District # 32 shall be a body politic and corporate with such government, rights, duties, powers, privileges and liabilities as are now provided for school districts.

§ 6. **Acts validated.**—All Acts and doings of those acting as the Board of Trustees of Hartsville School District # 32, in Darlington County, since April 2, 1930, are hereby in all respects validated, regardless of any question as to their appointment, term of office or the number properly to constitute the Board under the then existing laws.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(40z)

No. 236.

AN ACT Authorizing a Majority of the Union County Delegation to Remove the Captain of the County Chaingang for Satisfactory Cause and to Elect a Successor.

Section 1. Remove captain of chaingang, Union County.—Be it enacted by the General Assembly of the State of South Carolina: That a majority of the Union County Legislative Delegation, be, and they are hereby authorized and empowered to remove the Captain of the Union County Chaingang for satisfactory cause shown; and upon any such removal the majority of the said Union County Legislative Delegation shall elect a successor as Captain of the Union County Chaingang who shall serve subject to the terms of this Act.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(404)

No. 237.

AN ACT to Amend Section 3840, Code of Laws of South Carolina, 1932, by Further Providing What Prisoners the Supervisor of Jasper County may be Permitted to Work on the Public Works of Jasper County.

Section 1. § 3840, 1932 Code, amended—prisoners work on public roads, Jasper County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3840, Code of Laws of South Carolina, 1932, be, and the same is hereby amended by adding at the end of said section the following: "*Provided*, That the Supervisor, if he so desires, may work on the public works of Jasper County any and all prisoners who may be convicted in the courts of said County and who receive sentences of six (6) months and under"; so that said Section when so amended shall read as follows:

"Section 3840: The Supervisor of Jasper County is hereby authorized, empowered and directed to use any prisoners confined in the Jasper Jail, who have been convicted and have received sentences of sixty (60) days or less, on the public works of the county. The supervisor in using said prisoners, shall not maintain a separate establishment in taking care of the said prisoners, but shall keep same in the county jail. *Provided*, That the Supervisor, if he so desires, may work on the public works of Jasper County any and all prisoners who may be convicted in the courts of said County and who receive sentences of six (6) months and under".

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(405)

No. 238.

AN ACT to Safe-Guard the Use of Roads in Newberry County Not in the State Highway System by Preventing Excess Weight Loads Thereon.

Whereas, no lanes or highways of traffic are provided in Newberry County so as to divert heavy loads over highways built therefor; and

Whereas, numerous roads of Newberry County not in the highway system are being badly damaged and their maintenance made practically impossible because of excess loads thereon; *Now, Therefore*,

Section 1. Survey roads not in state highway system and determine axle weight stand, Newberry County.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Commissioners for Newberry County, with such assistance as in their judgment is proper, do go over the roads in Newberry County not in the State Highway system, make a survey and determine the axle weight the different roads can properly stand with the maintenance provided.

§ 2. Place signs on such roads showing axle weight load allowed.—That after such survey there be put by the County Highway Commissioners in a conspicuous place at the ends of each bridge and along said roads, one for at least every two miles, signs stating the axle weight load allowed thereon.

§ 3. Penalty.—That after the survey and notice herein provided have been made and posted, it shall be unlawful to use said roads for the transportation of anything which, with the vehicle, exceeds the axle weight load found proper; and any violation thereof shall be punished by a fine of not exceeding One Hundred (\$100.00) Dollars; or imprisonment not exceeding thirty (30) days.

§ 4. Each trip violating provisions separate offense.—Each trip over said roads in violation of this Section shall be a separate and distinct offense.

§ 5. Enforcement.—All officers of the County of Newberry are charged with the due enforcement of this law, and shall have the right to stop any vehicle suspected of violating this Act and determine whether its provisions have been violated.

§ 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

AN ACT to Regulate and Limit the Use of Motor Vehicles Used for the Transportation of School Pupils and to Provide for the Proper Equipment and Safeguards on Said Vehicles; to Provide for Painting and Marking Such Vehicles in a Distinctive Manner; and to Provide for the Inspection of Said

Vehicles by the Highway Department; and to Provide for the Enforcement of this Act by Providing Penalties for the Violation Thereof.

Section 1. School bus defined.—Be it enacted by the General Assembly of the State of South Carolina: Definition. When used in this Act "School Bus" shall be construed to mean every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.

§ 2. Color—words paint on—dual wheels.—That on or after the first day of September, 1937, each and every school bus while being used in the transportation of school pupils, shall be substantially painted a orange color and shall display on the extreme rear end and sides of such bus body painted in black letters not less than eight (8) inches in height and five (5) inches in width with a stroke of not less than one (1) inch in thickness or width the following words and letters and no others: "SCHOOL BUS—STOP—S. C. LAW." *Provided*, Passenger cars used for transportation of members of the owner's family and incidentally others for hire may not be required to carry the lettering provided for by this Section. County Boards of Education may at their discretion require that all replacement or new buses placed in service in their respective counties shall be equipped with dual wheels.

§ 3. Windshield wiper—brakes—lights—rear view mirrors.—Each and every school bus shall be equipped with a Power driven windshield wiper, adequate brakes and efficient lights which shall at all times when in use be in good working order; also with a rear view mirror or mirrors of such dimensions as will enable the driver, from the driver's seat, to see reflected in the same not only the occupants of the said vehicle but also the road to the left and to the rear of the said bus for a proper distance to adequately observe traffic in his rear.

§ 4. Drive supervise bus while operating.—The driver of every school bus while the same is being operated as such shall have general supervision of the same and it shall be the duty of said driver not to permit or allow any person in the school bus to occupy such a position as will interfere with the vision of the driver either to the front, either side or rear of the said vehicle while the same is in motion.

§ 5. Gasoline tank.—The Gasoline tank of every school bus shall be filled, vented and located entirely out side of that part of the school bus utilized for carrying passengers.

§ 6. Seating space—aisle—seats—pupils riding in.—Sufficient seating space shall be provided so far as practicable for each and every passenger transported inside the bus; no aisle in the school bus shall be less than twelve inches in width; and all seats shall be securely fastened to the floor or body of the vehicle. All pupils must be within the body of the school bus at all times while the bus is in motion. They shall not be permitted to ride on the running-boards or in any other place outside of the bus nor shall they be permitted to ride with heads or arms protruding through open windows.

§ 7. Entrance—exit.—Every school bus shall be provided with a front entrance-exit on the right side of the vehicle and a rear emergency exit or door conspicuously marked, on the inside "Emergency Door" and equipped with a fastening device capable of being quickly released in emergency, but entirely safe from accidental opening upon the application of any pressure from within the said bus. Except in event of an emergency no person shall be allowed to enter or leave the bus by any other than the front entrance-exit.

§ 8. Use of bus owned by school district.—No school bus owned by any school district shall be used other than for the transportation of pupils to or from school, except upon written permission of the Board of Trustees of the school district or such person as may be designated by them.

§ 9. Driver not leave while engine running.—No driver or operator shall leave the school bus while the engine is running.

§ 10. Stop receive or discharge passenger.—Each school bus must come to a complete stop with clutch disengaged before any passenger is permitted to alight or enter.

§ 11. Filling gasoline tank.—No gasoline tank on or in any vehicle used as a school bus shall be filled while the engine is running, or except in emergency, when there are pupils in the bus.

§ 12. Stop before crossing railroad track.—The operator of any school bus shall, before crossing at grade any track or tracks of any railroad, bring his vehicle to a full and complete stop within not less than ten (10) feet nor more than fifty (50) feet from the nearest rail of the track nearest to the front of such vehicle and shall after such stop ascertain if it is safe to proceed before crossing such track or tracks.

§ 13. Not use alcoholic liquors or smoke tobacco in—conduct of children.—The driver must be an experienced driver, of good moral habits, and neither he nor any pupil or any other person shall use alcoholic liquors or smoke any cigar, cigarette, pipe, tobacco or other substance in such vehicle during the time he is operating the same as a school bus. The driver shall be held responsible for the conduct of the children while riding in the bus and shall report to the governing head of the school to or from which the pupils are transported when the conduct of the pupils is beyond his control.

§ 14. Drivers—pass examination—suspend.—The Highway Department shall have the right to promulgate rules and regulations and/or provide a special examination for school bus drivers and no one shall be permitted to operate a school bus who cannot satisfactorily pass such examination. The privilege to operate a school bus may be suspended by the Highway Department in the case of any operator who is found operating a bus in a dangerous manner or violates the provisions of this Act in such manner that the safety principles in this Act are violated or any operator who may be found guilty of the use of intoxicants or who by his speech or conduct shall set an unwholesome example to the pupils.

§ 15. Inspect.—All school buses shall be subject to inspection at any time or place by officers of the State Highway Patrol or Inspection forces. No school bus shall continue in operation in the transportation of pupils when found to be unsafe until unsafe conditions disclosed by such inspection shall have been corrected.

§ 16. Color and construction provisions not applicable to certain buses.—The provisions as to color and construction herein contained shall not apply to buses now in operation, but shall apply to all replacements thereof and to buses repainted after the enactment of this Act.

§ 17. Invalidity.—If any Section, word phrase, clause, or provision of this Act shall be deemed unconstitutional, such unconstitutionality shall not effect, impair or invalidate any of the remaining sections, words, phrases, clauses, or provisions.

§ 18. Penalty.—The doing of anything prohibited by this Act or failing to do anything required by this Act shall constitute an offense and be unlawful and constitute a violation of this Act. All violations of this Act shall be deemed a misdemeanor and punishable by a fine of not less than Five Dollars or more than One Hundred Dollars

or imprisonment in the county jail for not less than five nor more than thirty days.

§ 19. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 20. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(407)

No. 240.

AN ACT to Create the Charleston County Welfare Board, and to Define and Provide Its Powers and Duties, Including the Duty of Acting as the Board of Charleston County for the Administration in Said County of Social Security and Old-Age Pension Legislation and Legislation for Direct Relief Thereunder.

Section 1. Charleston County public welfare board—election—terms—vacancy—removal.—Be it enacted by the General Assembly of the State of South Carolina: That there is hereby created the Charleston County Public Welfare Board, which shall be composed of three (3) members, who shall be elected by a majority, including the Senator, of the Charleston County Legislative Delegation, and shall hold office for terms of three (3) years, and until the election and qualification of their successors, who shall be elected in the same manner, and for like terms; *Provided*, That the original members shall hold office for terms of one (1), two (2), and three (3) years, respectively, the term of each original member to be assigned by the said legislative delegation upon election. They shall be commissioned by the Governor forthwith upon their election, but pending the issuance of such commissions such members shall have all of the powers and authority herein given unto said Board and its members. In the event of a vacancy caused by death, resignation, removal, or otherwise, the successor shall be elected in the manner above provided, to serve for the remainder of the unexpired term. Any such member may be removed by the said legislative delegation, for good cause, after a hearing thereon by said delegation.

§ 2. **Meetings—compensation—officers.**—Said Board shall meet twice each month, and shall receive such per diem as compensation as shall be fixed in the Charleston County Supply Act each year. From their number said Board shall elect a Chairman and a Secretary.

§ 3. Duties and powers.—Said Charleston County Public Welfare Board shall have the following duties, power and authority, to-wit :

(a) It shall be and constitute the Board contemplated in and provided by the legislation passed or to be passed by the General Assembly of this State to administer in Charleston County all social security and Old Age Pension Laws, and the handling of all matters of direct welfare and relief provided in such legislation for Charleston County, including the expenditure of all funds provided to be expended by the said county for such welfare and relief in said county.

(b) It shall have complete control of the allocation, disbursement and expenditure of all funds provided by the Legislative Delegation for Charleston County in the Charleston County Supply Act for each fiscal year, beginning with the fiscal year 1937-1938, for contribution or aid to public health, safety and welfare activities in Charleston County, including contributions to or contracts with any or all of the following :

- (1) Roper Hospital
- (2) Pinehaven Tubercular Sanitarium
- (3) Charleston County Health Board
- (4) Hospital and Training School for Colored Nurses
- (5) County Service Officer

(c) It shall be charged with the duty of coordinating and supervising the carrying out of all public health, safety and welfare agencies, including provisions for hospitalization and treatment of poor, indigent and aged in said county, and care and disposition of persons of unsound mind, and any other health or welfare agency for which funds of said county shall have been appropriated and provided.

§ 4. Powers as to social security and old age pension laws.—In carrying out the duties and functions given to said Board by subsection (a) of Section 3 of this Act, said Board shall be governed by the provisions applicable to it in the legislation referred to in said subsection, and shall have power and authority to exercise any discretion provided in such legislation to be exercised by the County Boards of Welfare in the several counties of the State.

§ 5. Powers as to appropriations for public health, safety and welfare activities.—In carrying out the duties and functions given to said Board by subsection (b) of Section 3 of this Act, said Board shall have full power and authority to allocate to and direct the dis-

bursement to the several institutions, all or any of them, listed in said subsection, of such amount, from the total appropriation made to said Board, as in the judgment and opinion of said Board, may be needed by each of said institutions for discharging the functions for which said funds of said county are provided, and appropriated, and to make such arrangements with each of such institutions, and to attach to the allocation and disbursement of the funds allocated to each of such institutions, such terms and conditions as will, in their judgment, secure to the public of said county the expenditure of said funds for the best interests and welfare of the county, and obtain for the county full value for the money so appropriated.

§ 6. Powers coordinate and supervise carrying out of public health, safety and welfare agencies.—In carrying out the duties and functions given to said Board by subsection (c) of Section 3 of this Act, said Board shall have full power and authority to increase the allocation of any institution in said county theretofore made by the Board, so long as the total appropriated for said Board of Welfare is not exceeded for the fiscal year, and to provide in agreements made with any such institution for the performance of duties and functions in the furtherance of the public health and welfare of the people of said county for the termination of any allocation made thereunder upon default by such institution in the performance of such agreement, and to enforce the provisions of such agreements by withholding the remainder of any such allocation upon such default.

§ 7. Finances.—Any funds or moneys of Charleston County appropriated for handling and expenditure by or upon the authorization of said Board shall be set up and kept by the County Treasurer in a separate fund in his office, and shall be allocated to and paid over by said County Treasurer to such institutions in said county as shall be provided in Resolution or Resolutions of said Board evidenced by certified copies thereof filed with said County Treasurer, in the amounts, and at the times, and upon the terms and warrants stipulated in such resolutions: *Provided*, That should said Board, at any time, file with the County Treasurer certified copies of resolution or resolutions terminating, increasing or diminishing any such allocation and disbursement direction theretofore made, or changing the times or methods of payment thereof, the County Treasurer shall thenceforth be governed by such resolutions, anything in the

original or prior resolution or resolutions to the contrary notwithstanding.

§ 8. **Executive secretary.**—The said Board shall have the authority to employ an executive secretary to handle the administrative functions of the Board and its actions, subject to the rules and regulations of the Board thereon, between its meetings, such employment to be for an annual term at such salary and upon such terms as shall by said Board be fixed. The said executive secretary shall at each meeting report to the Board his activities during the period after the previous meeting.

§ 9. **Special meetings.**—Said Board is authorized and empowered to hold any special meeting at any time upon the call of the chairman, when in his judgment the same shall be necessary for the proper discharge of the functions of the Board.

§ 10. **Pay certain appropriations to board.**—Whenever the legislation of this State shall provide any appropriation for or authorize any payment to Charleston County, or to the health officer or health department of said County, or to the Counties of this State, such appropriation shall be payable and paid only to the Welfare Board by this Act created.

§ 11. **Unexpended funds.**—All amounts of the appropriations of the funds of said county for the handling and expenditure by or upon the authorization of the Board which remain unexpended at the end of each fiscal year shall be kept by said County Treasurer in said separate fund or account and shall be subject to allocation and expenditure by the Board in the manner hereinabove provided, in the ensuing fiscal year, together with the amounts appropriated for such purposes for such ensuing fiscal year.

§ 12. **Repeal.**—All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 13. **Time effective.**—The provisions of this Act relating to the election and qualification of the members of the Board and the employment of an executive secretary shall take effect upon the approval of this Act by the Governor; and the remaining provisions of this Act shall take effect upon the 1st day of July, 1937.

Approved the 29th day of April, 1937.

(409)

No. 241.

AN ACT to Create the Office of Tax Collector of Clarendon County, Define His Powers and Duties, Provide for His Appointment, Term of Office, Removal and Compensation, and to Fix the Amount of His Bond and That of the Sheriff.

Section 1. Tax collector, Clarendon County—appointment—term—vacancy.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby created the office of Tax Collector of Clarendon County, which shall be filled by the appointment by the Governor of the State of South Carolina, upon the written recommendation of the Senator and at least one-half of the members of the House of Representatives from said county, of a citizen and resident of said county of good moral reputation and habits. The first appointment hereunder shall be made within ten days after the effective date of this Act and upon the qualification of such appointee by the giving of the bond herein required and the taking of the usual oath of office, he shall take office immediately and hold such until the 31st day of December, 1940, and until his successor is appointed and qualifies, unless he be sooner removed from office under the terms of this Act: thereafter the term of office shall be for four years and until a successor is appointed and qualifies, subject to removal under the provisions hereof. In case of death or resignation, the vacancy shall be filled in the same manner as is herein provided for a regular appointment.

§ 2. Duties.—The Tax Collector shall perform all of the duties with respect to the collection of delinquent taxes heretofore imposed upon the Sheriff of Clarendon County, and all present and future laws otherwise applicable to the Sheriff with respect to the collection of such taxes shall apply to the Tax Collector, and he shall keep all records and perform all duties in connection with the collection of taxes which, except for the enactment of this statute, would fall upon the Sheriff of the County.

§ 3. Sheriff settle for collections of delinquent taxes—transfer uncollected executions and records.—The Sheriff of Clarendon County shall, immediately upon the appointment and qualification of the first Tax Collector to be appointed hereunder, pay over and deliver to him all funds derived from the collection of delinquent taxes or otherwise in hand from such, and the Sheriff shall likewise deliver to the Tax Collector all uncollected tax executions and all

of his records thereon, and the Tax Collector shall give the Sheriff his full receipt for such funds, uncollected executions and records, whereupon the Sheriff shall be fully released from all liability for the handling and collection thereof thereafter.

§ 4. Compensation—expenses—clerk—pay costs collected to treasurer.—The Tax Collector shall receive as full compensation for his services the sum of One Hundred and Twenty-five (\$125.00) Dollars per month, which may hereafter be fixed in the annual County Supply Acts; and he shall also be paid monthly the sum of Twenty-five (\$25.00) Dollars for his traveling and other expenses and such additional amounts as may be deemed necessary and authorized in writing, from time to time, by the Senator and at least one-half of the members of the House of Representatives from said County. The Clerk provided for the office of the Sheriff shall devote so much of her time as may be spared from her duties in said office to the assistance of the Tax Collector in the performance of his duties, particularly in the keeping of his records and keeping open of his office for the convenience of the public. The Tax Collector shall not retain any of the fees, commissions, or mileage, now fixed by law, but shall collect the same and remit them to the County Treasurer on the first and fifteenth days of each month, with his tax collections in the manner required by law of other County Officers.

§ 5. Bond—bond of sheriff.—The Tax Collector shall give bond, before entering upon his office, in the sum of Five Thousand Dollars for the faithful performance of his duties, in the form and manner now required by law of other County Officers. Effective upon the qualification of the Tax Collector and the transfer unto him of all tax moneys and uncollected executions by the Sheriff, the bond required of the Sheriff shall be reduced to the sum of Five Thousand Dollars.

§ 6. Remove—successor.—For cause satisfactory to the Senator and at least one-half of the members of the House of Representatives from Clarendon County they may remove from office the Tax Collector, whereupon it shall be the duty of the Governor, upon the recommendation of the Senator and at least one-half of the members of the House of Representatives from said County above provided, to appoint a successor, who, upon his qualification by the taking of the usual oath of office and the giving of approved bond, shall

be entitled to the possession of all funds, uncollected tax executions and records in the hands of his removed predecessor.

§ 7. **Office—equipment and supplies.**—The Tax Collector may use the room in the Clarendon County Court House formerly used by the Grand Jury in its deliberations, permitting such use in the future when necessary, or he may use any other convenient office room in said Court House not now occupied by any other County Officer. The County Board of Commissioners shall supply him with necessary office equipment, supplies and stationery.

§ 8. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 9. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(410)

No. 242.

AN ACT to Require All Owners and Operators of Buses Engaged as Common Carriers of Passengers for Hire in the State of South Carolina to Separate White and Colored Passengers, and to Provide a Penalty for the Violation Thereof.

Section 1. Passenger motor vehicle carriers separate white and colored passengers—penalty.—Be it enacted by the General Assembly of the State of South Carolina: All passenger motor vehicle carriers, operating in the State of South Carolina shall separate the white and colored passengers in their motor buses and set apart and designate in each bus or other vehicle, a portion thereof, or certain seats therein, to be occupied by white passengers, and a portion thereof, or certain seats therein, to be occupied by colored passengers, and such company or corporation, person or persons that shall fail, refuse or neglect to comply with the provisions of this section shall be guilty of a misdemeanor, and upon indictment and conviction, shall be fined not less than Fifty Dollars nor more than Two Hundred and Fifty Dollars for each offense.

§ 2. **Accommodations.**—The said companies, corporations or persons so operating motor vehicle carriers shall make no difference or discrimination in the quality or convenience of the accommodations provided for the two races under the provisions of the preceding section.

§ 3. **Duties and powers of person in charge of vehicle.**—The driver, operator, or other person in charge of any motor vehicle

above mentioned, shall have the right, and he is hereby directed and required at any time when it may be necessary or proper for the comfort and convenience of passengers so to do, to change the designation so as to increase or decrease the amount of space or seats set apart for either race; but no contiguous seats on the same bench shall be occupied by white and colored passengers at the same time; and said driver, operator or other person in charge of the vehicle, may require any passenger to change his or her seat as it may be necessary or proper; the driver, operator or other person in charge of said vehicle who shall fail or refuse to carry out the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined not less than Five Dollars nor more than Twenty-five Dollars for each offense.

§ 4. Driver, operator or person in charge of vehicle special policeman—powers.—Each driver, operator or person in charge of any vehicle, in the employment of any company operating the same, while actively engaged in the operation of said vehicle, shall be a special policeman and have all the powers of conservators of the peace in the enforcement of the provisions of this Act, and in the discharge of his duty as special policeman, in the enforcement of order upon said vehicles; and such driver, operator or person in charge of said vehicle shall likewise have the powers of conservators of the peace and of special policeman while in pursuit of persons for disorder upon said vehicles, for violating the provisions of this Act, and until such persons as may be arrested by him shall have been placed in confinement or delivered over to the custody of some other conservator of the peace or police officer; and, acting in good faith, he shall be for the purposes of this Act, the judge of the race of each passenger whenever such passenger has failed to disclose his or her race.

§ 5. Duties of passengers—violations—penalty—eject passengers—liability.—All persons who fail while on any motor vehicle carrier, to take and occupy the seat or seats or other space assigned to them by the driver, operator or other person in charge of such vehicle, or by the person whose duty it is to take up tickets or collect fares from passengers therein, or who fail to obey the directions of any such driver, operator, or other person in charge as aforesaid, to change their seats from time to time as occasions require, pursuant to any lawful rule, regulation or custom in force by such lines as to assigning separate seats or other space to white

and colored persons, respectively, having been first advised of the fact of such regulation and requested to conform thereto, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than Five Dollars nor more than Twenty-five Dollars for each offense. Furthermore, such persons may be ejected from such vehicle by any driver, operator or person in charge of said vehicle, or by any police officer or other conservator of the peace; and in case such persons ejected shall have paid their fares upon said vehicle, they shall not be entitled to the return of any part of same. For the refusal of any such passenger to abide by the request of the person in charge of said vehicle, as aforesaid, and his consequent ejection from said vehicle, neither the driver, operator, person in charge, owner, manager nor bus company operating said vehicle shall be liable for damages to any court.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(412)

No. 243.

AN ACT to Amend Section 1 of Act No. 714 of the Acts of 1936, Entitled "An Act to Provide for and Require Boats Licensed to Trawl for Shrimp to Carry Registration Numbers and to Provide Penalties for Violations," Approved March 27th, 1936, so as to Make Further Provisions as to the Location and Size of Such Numbers on Such Boats.

Section 1. Act 714, 1936 Acts, amended—location and size of registration numbers paint on boats licensed trawl for shrimp.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of Act No. 714 of the Acts of 1936, entitled "An Act to Provide for and Require Boats Licensed to Trawl for Shrimp to carry Registration Numbers and to Provide Penalties for Violations", approved March 27th, 1936, be, and the same is hereby, amended by striking out the words "bow and stern" on the sixth line of said section, and inserting in lieu thereof the words "cabin or deck house", and by striking out the word "and" after the word "height" and before the word "four" on the seventh line of said section, and inserting in lieu thereof the words "with the barrel of

the numerals"; so that said section, when so amended, shall read as follows:

"Section 1. Each and every boat hereafter licensed by the State Board of Fisheries to trawl for shrimp in this State at the time of the issuance of such licenses, shall be assigned by said Board a number under which such boat or boats shall be registered and operated. The number so assigned to any such boat shall be painted on each side of the cabin or deck house thereof in distinctive numerals at least two (2) feet in height, with the barrel of the numerals four (4) inches in width, and the paint used for said purpose shall be different from and in clear contrast in color to the boat on which applied so that said registration may be easily and definitely determined at a great distance."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(413)

No. 244.

AN ACT to Exempt Moneys Paid by the United States to Executors, Administrators or Heirs of the World War Veterans From Claims of Creditors.

Section 1. Money paid by United States for insurance, compensation, or pensions to executors, administrators or heirs of certain war veterans exempt from claims against such veterans.—Be it enacted by the General Assembly of the State of South Carolina: That all moneys hereafter paid by the United States of America to the Executors, Administrators or heirs at law of any deceased World War Veteran, or Spanish-American War Veterans, whose estate is administered on in South Carolina, for insurance, compensation, or pensions, is hereby declared to be exempt from the claims of any and all creditors of such deceased World War Veteran, or Spanish-American War Veteran.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(416)

No. 245.**AN ACT to Permit, at Any Time, the Hunting, Shooting, Trapping, Catching and Killing of Foxes in Florence County for a Period of Five Years.**

Section 1. Hunt, shoot, trap, catch and kill foxes any time for five years, Florence County.—Be it enacted by the General Assembly of the State of South Carolina: There shall be no closed season for the hunting, shooting, trapping, catching and killing of foxes in Florence County, for a period of five years from the passage of this Act and it shall be lawful at any time to hunt, shoot, trap, catch or kill foxes in Florence County, for the said period of five years.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(418)

No. 246.**AN ACT to Provide for the Election of Five Trustees of School District No. 21, at Denmark in Bamberg County, South Carolina.**

Section 1. Trustees, School District No. 21, Bamberg County—number.—Be it enacted by the General Assembly of the State of South Carolina: That School District No. 21 at Denmark in Bamberg County, South Carolina, have five (5) Trustees.

§ 2. **Nominate—times hold elections—terms.**—That these Trustees shall be nominated to the County Board of Education by the qualified electors of the said consolidated District No. 21 at elections held for the purpose of making such nominations. The first such election shall be held on the second Tuesday in January, 1938, at which time three trustees shall be nominated to serve for terms of two years each; the second such election shall be held on the second Tuesday in January, 1939, at which time one trustee shall be nominated to serve for a term of one year; the third such election shall be held on the second Tuesday in January, 1940, at which time five trustees shall be nominated to serve for a term of two years each; and similar elections shall be held every two years there-

after, at which time five trustees shall be nominated to serve for terms of two years each.

§ 3. Election—managers—hours polls open.—That the County Superintendent of Education shall name the managers for said election, and the managers shall name the place of said election. All polling precincts shall open at eight A. M. and close at 4 P. M. on said election days.

§ 4. Election—advertise—candidates.—That said election must be advertised in one County paper at least twenty (20) days prior to the date of the same, and that each candidate shall file his name with the said managers at least one week before said election.

§ 5. Certify names of persons nominated.—That the managers of the elections shall certify to the County Board of Education the names of the persons nominated as trustees at said elections.

§ 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(419)

No. 247.

AN ACT to Authorize Reciprocity Between the State of South Carolina and Any Other State with Respect to the Operation of Certain Motor Vehicles.

Section 1. State highway department grant any other state reciprocity with respect to operation of certain motor vehicles.—Be it enacted by the General Assembly of the State of South Carolina: The State Highway Department is hereby authorized to grant to any other State full reciprocity with respect to the operation of motor vehicles in this State where such motor vehicles are properly licensed and registered under the laws of any other such State and where any other such State extends under its laws or rules and regulations like privileges to the owners or operators of motor vehicles properly licensed and registered by the State of South Carolina. The term "any other State" as used in this section includes any state, district, country or other sovereignty.

§ 2. Motor vehicles used for hire and for compensation.—Except such occasional trips as may be determined by the State Highway Department, the provisions of this Act shall not apply to motor vehicles used for hire and/or compensation.

§ 3. **Rules and regulations.**—The State Highway Department is hereby authorized and empowered to promulgate rules and regulations for the administration and enforcement of this Act and all such rules and regulations shall have the full force and effect of law.

§ 4. **Penalty.**—Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars or imprisonment for not more than thirty (30) days.

§ 5. **Repeal.**—All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency but this Act shall not be construed as repealing any other law relating to motor vehicle licenses but shall be held and construed to be cumulative thereto.

§ 6. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of April, 1937.

(422)

No. 248.

AN ACT to Authorize the State Highway Department to Construct an Overhead Bridge Over the Tracks of the Blue Ridge Railway Company in the City of Anderson and to Fix the Vertical Clearance of Said Bridge.

Section 1. State highway commission construct overhead bridge in city of Anderson.—Be it enacted by the General Assembly of the State of South Carolina: The State Highway Department is hereby authorized, with the consent and approval of the City Council of Anderson, to construct an overhead bridge over the main line tracks of the Blue Ridge Railway Company on Peoples Street in the City of Anderson: *Provided*, That the cost of said bridge is paid for from Federal Works Program Grade Crossing Funds and without cost to the State Highway Department.

§ 2. **Vertical clearance of proposed bridge.**—The vertical clearance of the proposed bridge authorized in Section 1 hereof is hereby established to conform with such plans as the State Highway Department may adopt: *Provided*, that in no case shall the said vertical clearance be less than that now existing at the overhead bridge where Main Street crosses the same Railroad in the City of Anderson.

§ 3. **“Vertical clearance” defined.**—The term “vertical clearance” as used in this Act refers to the distance measured vertically between the top of the railroad rail and the lowest part of the superstructure immediately above the railroad tracks.

§ 4. **Effect on other acts.**—All Acts or parts of Acts inconsistent with the provisions of this Act are hereby amended to the extent necessary in order to avoid conflict with the provisions of this Act.

§ 5. **Time effective.**—This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(423)

No. 249.

AN ACT to Amend Section 7 of Act No. 249 of the Acts of the General Assembly, State of South Carolina, 1935, Entitled “An Act to Provide for the Formation and the Management of a County Forest Fire Control Organization and Providing for the Systematic Care and Management of Forests and Wild Land Areas in Richland County, in South Carolina; for the Protection of Forest Lands; to Promote Reforestation on Denuded and Understocked and Sub-Marginal Areas Within the County; Defining Forests and Forest Fires; and Providing for the Financing Thereof”, to Further Provide for the Appointment and Term of Office of the Members of Said Forest Fire Control Board of Said County.

Section 1. Act 249, 1935 Acts, amended—appointment and term of members of forest fire control board, Richland County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 7 of Act No. 249 of the Acts of the General Assembly, State of South Carolina, 1935, be, and the same hereby is amended by striking out, beginning with the word “one” on line 3 of said section, the following: “one shall be the Chairman of the Board of County Commissioners of Richland County, and three citizens of Richland to be elected by the Richland Delegation” and inserting in lieu thereof the following: “four (4) shall be citizens of Richland County to be elected by the Richland County Legislative Delegation, each of whom shall serve for a term of two (2) years or until his successor has qualified”; so that said Section 7 of Act No. 249 of the Acts of the General Assembly, State of South Carolina when so amended shall read as follows:

"Section 7. There shall be set up a Board consisting of five (5) members of which one shall be the State Forester with full voting power, four (4) shall be citizens of Richland County to be elected by the Richland County Legislative Delegation, each of whom shall serve for a term of two (2) years or until his successor is qualified. On the passage of this bill, the Board shall organize by electing a Chairman and a Clerk. The Board shall meet subject to the call of the Chairman. Any vacancy occurring in the Board shall be filled by the remaining members of the Board."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 30th day of April, 1937.

(424)

No. 250.

AN ACT to Amend Act No. 863 of the Acts of the General Assembly, 1936, Entitled "An Act to Amend Section 6426, Volume III, Code of Laws of South Carolina, 1932, Relating to the Compensation of Cotton Weighers in York and Florence Counties, Etc." with Reference to Florence County.

Section 1. § 6426, 1932 Code, amended—compensation of cotton weighers, Florence County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 863 of the Acts of the General Assembly, 1936, entitled "An Act to Amend Section 6426, Volume III, Code of Laws of South Carolina, 1932, Relating to the Compensation of Cotton Weighers in York and Florence Counties, etc.", be, and the same is hereby amended by striking out the words "and Florence Counties", in Section 1, sub-section 6426, lines 1 & 2, and inserting in lieu thereof the word "county" and *Amend, Further*, by adding at the end of the said Section the following: "The public cotton weighers of the county of Florence shall receive as compensation for their services ten (10¢) cents for each bale of cotton weighed by seller and five (5¢) cents of which shall be paid by the seller and five (5¢) cents by the buyer", so that said Section when so amended shall read as follows:

"Section 6426. The public cotton weighers of York County shall receive as compensation for their services twenty (20) cents for each bale of cotton weighed by them, ten (10) cents of which shall be paid by the seller and ten (10) cents by the buyer thereof, *Pro-*

vided, that in the County of Florence there shall be charged not exceeding Two (2¢) Cents per hamper on all truck sold in said County as expenses for the maintenance of the truck market, and that such amount so collected for said expenses shall be equally divided and one-half of said amount shall be paid by the buyer and one half by the seller. The public cotton weighers of the County of Florence shall receive as compensation for their services ten (10¢) cents for each bale of cotton weighed by seller and five (5¢) cents of which shall be paid by the seller and five (5¢) cents by the buyer."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(425)

No. 251.

AN ACT to Fix the Compensation of Circuit Court Jurors of Orangeburg.

Section 1. Pay of circuit court jurors, Orangeburg County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after July 1, 1937, Grand and Petit Jurors, serving as such in the Circuit and County Courts of Orangeburg County, shall each be paid Three (\$3.00) Dollars per day, and mileage at the rate now fixed by law.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(427)

No. 252.

AN ACT to Establish a County Court in Oconee County, to Fix Its Jurisdiction, to Provide for Its Officers and Their Appointments and Election, to Provide Remuneration, Term of Office, Define Their Powers and Prescribe Their Duties; and to Submit the Question of the Establishment of Such Court to the Qualified Electors in Oconee County, to Request Political Parties Holding Primaries in Said County to Submit the Question of the Establishment of Said Court to the Voters

in Such Primaries; and to Request Political Parties to Nominate Candidates for the Office of County Solicitor.

Section 1. Election on establishing county court, Oconee County.—Be it enacted by the General Assembly of the State of South Carolina: That, at the next General Election in Oconee County for State and County officers, the Commissioners of Election for said County are hereby directed to submit to the qualified electors of said County at such election the question of the establishment of a County Court for Oconee County, and, at said election, the question of establishing said County Court shall be submitted to said electors as follows: There shall be furnished at the various voting precincts in said County a sufficient number of ballots with the following printed or plainly written thereon, to-wit:

“Shall a County Court be established for the County of Oconee as provided for by an Act of the General Assembly of South Carolina, 1937?

Yes——— No———

Those in favor of establishing such County Court shall erase the word ‘No’, and those opposed shall erase the word ‘Yes’.”

Those voting in said election in favor of establishing such County Court shall erase the word “No”, and those opposed to the establishment of such County Court shall erase the word “Yes”.

That at least twenty (20) days public notice of said election shall be given in one or more newspapers published in said County.

§ 2. Election favorable establish court.—That, in the event that a majority of the qualified electors voting in said election shall vote in favor of the establishment of said Court, then, said County Court shall, on December 1, 1938, be, and it is hereby, established in and for said County, with such jurisdiction and under such provisions as are hereinafter provided.

§ 3. Jurisdiction.—That said County Court shall have concurrent jurisdiction with the Court of Common Pleas for Oconee County in all matters both at law and in equity where the matter in controversy or the thing sued for does not exceed the sum of One Thousand (\$1,000.00) Dollars; *Provided, However,* That said Court shall not have jurisdiction in such matters where the title to real estate is involved. The said Court shall have concurrent jurisdiction with the Court of General Sessions for said County in all cases less than felonies. From time to time cases, Civil and Criminal, pending

in either the said County Court or the Circuit Court for said County, may be transferred to such County Court or Circuit Court, as the case may be, within the discretion of the Judge of the Court in which such case is pending.

§ 4. Judge—prosecuting attorney—appointment—election—term—vacancy—oath—duties and powers—witnesses.—There shall be a Judge of the said court who shall be one learned in the law who shall be a resident of said County. It shall be his duty to convene the said court for the trial of criminal cases at such times as he deems advisable. He shall at all times hold the said court open for the purpose of accepting pleas of guilty. He shall likewise at the conclusion of the criminal business at each term hear and dispose of any civil business on docket which may be ready for disposal, and he shall at all times hold the said court open for the purpose of giving judgment by default.

The judge of the said court shall have the power to summon the Grand Jury of the county for the purpose of passing on any bills of indictment prepared by the Solicitor of the circuit which are in the jurisdiction of the said court, and for no other purpose. He shall have the power to issue writs of injunction and prohibition, mandamus, punish for contempt as the Circuit Court, and grant bail in cases within his jurisdiction. Within the limits of jurisdiction of this court the judge thereof is invested with all the authority and powers that rest in judges of the Circuit Courts of this State.

(2) There shall be a prosecuting Attorney of said court whose duty it shall be to investigate all criminal cases instituted in or transferred to his court, and to diligently prepare and prosecute the said cases with all convenient speed with as little delay and cost as is commensurate with the orderly administration of justice. He shall consult all witnesses for the State before a term of court and have only such as are material to appear for the trial. To this end he is empowered to summons the witnesses to appear at his office before the term of court next ensuing, and they shall be bound to appear when so summoned under penalty of being punished as for contempt. The witnesses so summoned for consultation shall receive as full compensation mileage to and from home one time at five (.05) cents a mile. The Prosecuting Attorney shall so arrange his trial docket that cases shall be set for trial on a particular day and the material witnesses shall be summoned to attend court on that day and no other. On the trial of cases the witnesses for the state shall receive the fees and mileage now provided by law.

(3) The Judge and the Prosecuting Attorney of the said Court shall hold their respective offices for terms of four (4) years and until their successors are qualified and commissioned. The Judge of said Court shall be appointed by the Governor upon the recommendation of the Bar Association of Oconee County and the State Senator from said County and one member of the House of Representatives of South Carolina from said County. For the first term the Prosecuting Attorney shall be appointed by the Governor upon the recommendation of the Bar Association of said County and the State Senator from said County and one member of the House of Representatives of South Carolina from said County, and, thereafter, he shall be elected by the qualified voters of Oconee County in the general election next ensuing before the expiration of his term of office. The Judge and the Prosecuting Attorney shall take the oath required of Judges and Solicitors of the Circuit Courts, and their initial terms shall commence on December 1, 1938. That, in case of a vacancy, it shall be filled by the Governor upon the recommendation of the Bar Association of Oconee County and the State Senator from said County and one of the members of the House of Representatives of South Carolina from said County, and the appointment shall be for the unexpired term.

§ 5. Jury trials—jurors—jury commissioners.—All cases tried in said court shall be tried by a jury consisting of six qualified jurors. In civil cases the plaintiffs shall strike three names and the defendants shall strike three names from a list of twelve names submitted by the Clerk of said Court. That the striking shall be done alternately commencing with the plaintiffs. In criminal cases the state and defendant shall enjoy the number of challenges now prescribed by law for similar cases in the Circuit Court. The jury Commissioners of the county on the first Monday of each month upon six days notice shall draw publicly from the regular jury box of the county 18 names of persons who shall be summoned by the sheriff to serve as jurors for the ensuing term of said court. The jurors, Petit and Grand jurors, shall receive the same per diem pay and mileage allowance as such jurors receive in attending the Circuit Court of said County. The jurors summoned for the trial of criminal cases shall continue for the trial of civil matters: *Provided*, That no juror shall be required to attend longer than one week, excepting where the trial of a case in which he is a juror shall continue beyond the week.

§ 6. **Clerk—costs and fees.**—The clerk of the circuit Court, shall act as clerk of this court and shall keep such calendars, minutes, and records as are necessary in a court of record. Judgements in this court shall be entered of record in the judgment books of the Circuit Court. The cost and fees allowed in the Circuit Court shall obtain likewise in this court.

§ 7. **Sheriff.**—The Sheriff of the County shall attend, and be subject to the orders of this court in like manner as the Circuit Court.

§ 8. **Stenographer—when take testimony.**—The Judge shall appoint an official Stenographer for the court who shall be sworn to truly take and transcribe the proceedings of the court. The stenographer shall receive three (\$3.00) dollars per day while actually engaged in court to be paid by the county in criminal cases and by the losing party in civil cases, but the party demanding a stenographer in civil cases shall advance the stenographer's cost. It shall not be the practice to take the testimony in criminal cases except where the defendant demands it. For transcripts of record, the stenographer shall receive the fees allowed stenographers in Circuit Court.

§ 9. **Bailiffs.**—The Judge of said court may appoint not exceeding two Bailiffs as occasion may require to serve said court. The compensation of the said Bailiffs shall be one (\$1.00) dollar per day.

§ 10. **Pleading — practice — evidence.**—The same forms of pleading and practice and the same rules of evidence shall obtain in this court as now provided for and observed in cases in the Circuit Courts.

§ 11. **Appeals.**—Appeals shall be taken from said Court Court direct to the Supreme Court under the same rules as are now prescribed for appeals from the Circuit Courts.

§ 12. **Defendants in criminal cases.**—It shall be lawful for the defendant in any Criminal case within the jurisdiction of said County Court to waive Presentment by the Grand Jury and plead guilty and be sentenced thereupon, or consent to trial in like manner as if an indictment of the offense charge had been presented by the Grand Jury. Such waiver may be on the back of the warrant charging the offense, or upon the back of a proposed indictment signed by the Prosecuting Attorney of said Court. Any such waiver shall be in writing and signed by the defendant making such waiver.

§ 13. **Submit establishment of court to voters in primary elections—effect of result.**—The Executive Committee of every political

party holding primary elections during the month of July or August, 1938, is requested to submit to the members of such political party, at one of its primaires, the following question to be voted on at such primary, to-wit: 'Shall a County Court be established in the County of Oconee? Yes, No.' In submitting such question, such party is requested to have same printed on ballots at each of its voting precincts sufficient in number to carry out the purposes of this section. It is further requested that the ballots have written or printed thereon, in addition to the question above set out and the 'Yes'—'No' above set out, the following: 'Those in favor of establishing a County Court shall erase the word 'No', and those opposed shall erase the word 'Yes'. In the event that in all such primary elections in which said question is submitted during the months of July and August, 1938, a majority of the people voting on said question shall vote against the establishment of such a Court, all other provisions of this Act shall become null and void. If in such elections a majority of such voters vote in favor of the establishment of said Court, then all provisions of this Act shall remain in full force and effect.

§ 14. Nominate candidates for prosecuting attorney.—That every political party holding primary elections in Oconee County is requested, at the primary next ensuing before the general election in which the Prosecuting Attorney is to be elected, to nominate as its candidate some person for the office of Prosecuting Attorney of said Court.

§ 15. Invalidity.—If any section, clause, or provision of this Act be declared unconstitutional, such shall not affect any other section, clause or provision.

§ 16. Amend §§ 3 to 12 hereof.—Sections 3 to 12 inclusive may from time to time be amended by the General Assembly of this State as it deems advisable.

§ 17. All Acts, or parts of Acts, inconsistent with this Act are hereby repealed.

§ 18. This Act shall take effect immediately upon its approval by the Governor.

This Act became effective, when the Governor, to whom it was presented April 28, 1937, neither approved it nor returned it to the House in which it originated within three days, the General Assembly being in session.

(429)

No. 253.

AN ACT to Amend Section 5359 of the Code of Laws of South Carolina, 1932, as Amended, by Adding at the End Thereof a Provision Allowing the Trustees of School District No. 2, in Charleston County, to Hold an Election for the Purpose of Issuing Bonds Upon a Petition to be Signed by at Least One-third of the Resident Electors.

Section 1. § 5359, 1932 Code, amended—School District No. 2, Charleston County, hold election on issuing bonds when petitioned by one-third of resident electors.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5359 of the Code of Laws of South Carolina, 1932, as amended by Act No. 102 of the Acts of 1933, and as amended by Act No. 219 of the Acts of 1935, and as amended by Act No. 885 of the Acts of 1936, be, and the same is hereby amended, by adding at the end of said Section 5359, as amended as aforesaid, the following, to wit: *Provided, Further*, That the School Trustees of School District No. 2, in the County of Charleston, composed of Sullivan's Island, Isle of Palm's, Little Goat Island and Big Goat Island, be, and they are hereby, authorized and empowered to hold an election upon the question of issuing bonds for the purpose of constructing and adding two (2) class rooms and an Auditorium to present school building in said School District and other school purposes upon the written petition of at least one-third of the resident electors of said School District No. 2."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(430)

No. 254.

AN ACT to Change the Fiscal Year of York County.

Section 1. Fiscal year, York County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the passage of this Act the fiscal year of York County shall begin on July 1st of each year and end on June 30th of the next following calendar year.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 30th day of April, 1937.

(431)

No. 255.

AN ACT to Amend Section 3594, Code of Laws S. C. 1932, Relating to Roll of Jurors and Constables in Attendance, Etc., so as to Provide for the Countersigning of Pay Certificates of Jurors and Constables.

Section 1. § 3594, 1932 Code, amended—sheriff countersign all pay certificates of jurors and constables.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3594, Code of Laws, S. C., 1932, Relating to Roll of Jurors and Constables in Attendance, etc., be and the same is hereby amended by striking out on line 18 thereof after the word “the” the following “presiding Judge; or, in any case where a judge may not”, and by striking out on line 19 thereof the following “be present during the term, the certificate shall be countersigned by the”; and, further, by striking out on lines 20 and 21 thereof the following: “and, in addition to what is above described, shall set forth such absence of the Judge”, so that, when so amended, the said Section shall read as follows:

“Section 3594: Immediately after the adjournment of any court of Common Pleas and General Sessions, the clerk thereof shall make out a roll of the grand jurors and petit jurors and constables who shall have attended the same, exhibiting the name, time of service, and amount due each juror and constable, and the term at which the service was performed, and shall enter the same on the journals of the court of the term when such service shall be performed, and shall forthwith transmit to the county commissioners of the county a certified copy of such roll, and shall furnish each juror and constable with a certificate, in the following form:

STATE OF SOUTH CAROLINA: I, A. B. Clerk of the court of Common Pleas and General Sessions for County, in the said State, do certify that attended as a juror (or actually served as a constable, as the case may be) for said county days at Term, A. D., ..., and is entitled to receive for the same

..... dollars and..... cents, which certificate shall be signed by the Clerk of Court, who shall issue the same, and be countersigned by the sheriff of the county; and all certificates so issued and executed shall be valid."

§ 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. That this Act shall take effect immediately upon its approval by the Governor.

Approved the 1st day of May, 1937.

(433)

No. 256.

AN ACT to Require Those Who Offer for Sale, Seller and Peddlers of Live Stock to Obtain a License to do so Before Engaging in Such Business in Lee County.

Section 1. License required peddle or offer for sale live stock, Lee County—exemptions.—Be it enacted by the General Assembly of the State of South Carolina: From and after the passage of this Act, each person, firm or corporation, except such as have at the time, in Lee County, a regular established place of business for which the license fee as required by law, including municipal license, has been paid, before engaging in the business of peddling or offering for sale any live stock in Lee County, and the act of peddling shall be deemed to be carrying live stock from place to place over the county on foot or by vehicle and selling the same, or offering the same for sale, shall apply to and obtain from the Clerk of Court of Lee County a license so to do, and pay to him for each calendar year or part thereof for the privilege of engaging in such business as annual license fee or two hundred (\$200.00) dollars; *Provided*, That if any such person, firm or corporation desires to engage in such business for a limited number of days the license fee therefor shall be twenty-five (\$25.00) dollars for each day.

Nothing herein contained shall be construed to require any person, firm or corporation, irrespective of whether he be a regular dealer in live stock or not and whose place of business or residence may be beyond the confines of Lee County, to obtain a license to deliver to anyone in Lee County any live stock pursuant to a contract of sale theretofore made.

It is hereby made the duty of the Clerk of Court when he issues any such license to file with the Sheriff of the County the name and

address of all such licensees and the length of time the licenses are to run.

§ 2. **Penalty.**—Any person, firm or corporation violating the provisions of this Act shall be deemed guilty of a misdemeanor and each and every day in which he operates without a license shall be deemed a separate and distinct violation of this Act. For each such violation, upon conviction, he shall be subject to imprisonment for not more than (30) days or a fine of not more than one hundred (\$100.00) dollars.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(432)

No. 257.

AN ACT to Amend Sections 5232, 5245 and 5248, Code of Laws of South Carolina, 1932, Relating to the Practice of Optometry, so as to Further Define the Practice Thereof, and to Prohibit Misleading Advertisements in Connection Therewith.

Section 1. § 5232, 5245 and 5248, 1932 Code, amended—practice of optometry defined—not give premiums—advertisements not mislead—exemptions.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5232, 5245, Code of Laws of South Carolina, 1932, and Section 5248 of said Code as the same appears in the 1934 Supplement, Code of Laws of South Carolina, be, and the same are hereby changed, altered and amended to read, respectively, as follows:

“Section 5232: Any person shall be deemed to be practicing optometry within the meaning of this Article who shall display a sign, or in any way advertise as an optometrist, or who shall employ any means, other than the use of drugs, for the measurement of the powers of vision, or the adaptation of lenses, for the aid thereof, or who shall in the sale of spectacles or eyeglasses or lenses, use in the testing of the eyes therefor, lenses other than lenses actually sold, or who examines the human eye by the employment of any subjective or objective physical means, without the use of drugs, to ascertain the presence of defects or abnormal conditions for the

purpose of relieving the same by the use of lenses, prisms, or other physical or mechanical means."

"Section 5245: It shall be unlawful for any person or persons to offer or give as a premium, with the newspapers, books, magazines or merchandise, or in any other manner to induce trade, eyeglasses, spectacles or lenses; or to give, or offer to give, any sum of money, or other thing of value, to any other person, the object of which is to induce the examination of the eye or the sale of spectacles, eyeglasses, lenses, or any part used in connection therewith.

"It is also made unlawful for any licensed optometrist, physician, surgeon, optician or other person to advertise by any means whatsoever any untruthful, impossible, improbable, or misleading statement in connection with the testing of the eyes, fitting or supplying spectacles or eyeglasses; or to advertise the amount of charges for professional services for testing the eyes, fitting or supplying spectacles or eyeglasses, or the terms or guarantee on which any such service or article may be procured.

"It is also made unlawful for any such licensee to permit his license to be used by any unlicensed person; and it is declared to be a violation of the terms of this Act for any unlicensed person to practice or attempt to practice, or conduct his business under the rights and privileges conferred upon some other person duly licensed.

"Any licensee referred to herein, who violates any of the provisions of this Act, shall, in the discretion of the Board granting his license, have his license suspended on such terms as the Board shall enforce, in no case shall the suspension for the first offense exceed six (6) months. All persons violating the provisions of This Act shall be subject to the penalties provided for in Section 5246, of Article 11, Code of Laws of 1932, relating to the subject-matter."

"Section 5248: Nothing in this article shall be construed to apply to physicians authorized to practice under the laws of the State of South Carolina, in the due course of their private professional practice, but they are not exempt from but are subject to the provisions of Section 5245, nor to persons who sell as merchandise from a regular established place of business ready-made eyeglasses or spectacles. *Provided*, That the seller shall not aid the purchaser in the fitting thereof. *Provided*, The provisions of this article shall not be construed to prevent persons who hold certificates at the time of the approval of this article from practicing from town to town, or from house to house, or place to place, but does apply to those

commonly called peddlers, not holding certificates, who solicit from house to house."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. If any of the terms or provisions of this Act shall be declared unconstitutional or invalid such determination shall not be deemed to invalidate the remaining provisions and terms thereof.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 1st day of May, 1937.

(436)

No. 258.

AN ACT to Create for the County of McCormick a County Co-operative Soil Conservation Board, and to Authorize Said Board to Borrow Money for the Purpose of Purchasing Equipment to do Power Terracing and to Control the Same for the Use and Benefit of the Land Owners of McCormick County, and to Authorize a Levy on Lands Terraced to be Collected for the Payment of the Obligations Incurred in the Purchase of Equipment, and to Provide for the Payment of Obligations Incurred by the County in the Promotion Thereof.

Section 1. County cooperative soil conservation board, McCormick County.—Be it enacted by the General Assembly of the State of South Carolina: That there shall be created in the County of McCormick a County Cooperative Soil Conservation Board consisting of three (3) members, one of whom shall be named as Treasurer of said Board. That the three (3) members shall be elected or appointed by the McCormick County Delegation in the General Assembly, and shall serve for a period of two (2) years and until their successors have been appointed and qualified. The County Farm Demonstration Agent shall be ex-officio Secretary of said Board and shall keep the books and accounts of said Board. The books of the Treasurer of the said Board shall be audited by a public accountant upon order of the County Delegation. The duties of the said Board shall be to promote the control of erosion within McCormick County and to promote such other farm practices as will tend toward the improvement of the farm land and the increase of the taxable value thereof. That the members of the said Board shall receive as pay for their services, the sum of Three (\$3.00) Dollars per day, not to exceed twelve (12) days in any calendar year.

§ 2. McCormick County borrow for board purchase terracing equipment.—The said Board herein created is hereby authorized and directed to make requisition before the County Board of Commissioners of McCormick County to borrow a sum of money not exceeding Five Thousand (\$5,000.00) Dollars, and the County Board of Commissioners of McCormick County is hereby authorized upon receipt of such requisition from said Board and also upon receipt of written authority by the McCormick County Legislative Delegation to borrow the said sum not exceeding Five Thousand (\$5,000.00) Dollars, and make, execute and deliver a note or notes in such amount or amounts and having such maturity dates as may be agreed upon by the County Board of Commissioners and the Legislative Delegation from McCormick County, the said notes to bear interest at a rate not to exceed five (5%) percent per annum. That the funds so borrowed shall be used by the said Board herein created to purchase a new tractor, grader and terracing outfit complete for use in terracing land in McCormick County.

§ 3. Board contract for use of equipment—charge—use of receipts—report on work.—The said Conservation Board will direct the work of the terracing program, enter into contracts with farmers for the terracing of their land and contract with the farmers for the use of other heavy duty equipment in a cooperative manner. In entering into these contracts, the price per hour charged farmers will be such that not less than One (\$1.00) Dollar per hour can be repaid to the County Treasurer for the purpose of liquidating the payment of the notes herein authorized. In arriving at the additional charge, the price per hour shall be such that the labor, costs, fuel, grease and repairs to the equipment, shall be taken care of. The Treasurer of the Conservation Board shall, at the end of each calendar month, report to the County Treasurer of McCormick County, in writing, the number of hours that the said equipment has been used during the said month, and shall pay over to the County Treasurer the sum of One (\$1.00) Dollar per hour for the time the said equipment was used in said month, and the said sum shall be held by the County Treasurer in a separate account to be applied by him to the payment of the notes and interest herein authorized. That the foreman in charge of the terracing equipment, herein authorized to be purchased, shall keep a record of the number of hours when said equipment was used on each and every farm on which terracing may be done under the provisions of this Act, and

file a written report of the same at the end of each week, in the office of the Farm Demonstration Agent of McCormick County.

§ 4. Board require deposit before starting work.—That the said Conservation Board, before entering a contract with any farmer to do terracing upon his lands, shall first make an estimate of the cost of said terracing to the said farmer, and shall at the time of entering into said contract and before any of the work is done, shall require a sufficient deposit to be placed with said Board, to pay the entire cost of the terracing contemplated to be done upon the farm.

§ 5. Payment of notes.—That to secure the payment of the notes herein authorized to be issued by the County Board of Commissioners of McCormick County, the One (\$1.00) Dollar per hour charge, as herein stated, is to be expended only in payment of said notes and interest thereon, and in addition thereto, the full faith, credit and taxing power of McCormick County is hereby pledged to the payment thereof; and that whenever it is determined by the County Treasurer of McCormick County that the said One (\$1.00) Dollar per hour is not sufficient to pay the note and interest, when and as same may become due, then the Auditor of McCormick County and the Treasurer of McCormick County, are respectively authorized to levy and collect such additional amounts as may be necessary to pay the said notes, with interest.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(516)

No. 259.

AN ACT to Regulate and to Provide for the Levy of Special School Taxes in Rock Hill School District No. 12, in York County.

Section 1. Annual school tax, Rock Hill School District No. 12, York County.—Be it enacted by the General Assembly of the State of South Carolina: That the voters or electors of the Rock Hill School District No. 12, York County, are authorized and empowered to levy and collect an annual tax of not more than four (4) mills to supplement any special or constitutional school tax or other tax for like purposes.

§ 2. Election.—That it may and shall be lawful for the Trustees of the Rock Hill School District to hold an election within the said Rock Hill School District at any time for the purpose of levying such annual tax, after giving notice of the time and place thereof for at least two weeks in some newspaper published within said Rock Hill School District, said notice to further state the rate of the tax levy proposed which shall be fixed by the Trustees of the Rock Hill School District in their discretion, not exceeding four (4) mills, at which election only such electors as exhibit their tax receipts and registration certificates as required in general elections shall be allowed to vote; at the said election the Trustees of the Rock Hill School District shall appoint, or act as, managers and the election shall be conducted as provided by law for the conduct of general elections. At said election each elector favoring the proposed levy shall cast a ballot containing the word “Yes” printed or written thereon, and each elector opposed to said levy shall cast a ballot containing the word “No” printed or written thereon.

§ 3. Levy tax if majority voters favor.—That, if a majority of the votes at said election are cast by electors opposed to such levy, no such levy shall be made; that, if a majority of the votes cast at such elections are cast by electors in favor of such levy, then the said Trustees of the Rock Hill School District shall notify the Auditor for said County, who shall proceed to enter such tax upon his duplicate and assess the same, which shall be collected as now provided by law.

§ 4. Assessment—collection—increase—decrease.—That such tax so levied shall be assessed and collected annually thereafter, in the manner provided by law, until the same is increased, decreased or repealed by said electors of said School District, at any election called for that purpose, by said Trustees of the said Rock Hill School District, and if said tax be so increased or decreased, the said County Auditor shall be notified thereof, and shall annually enter and levy and assess such increased or decreased tax.

§ 5. Lien on property—disbursement.—That the said levy shall annually be a lien upon all property not exempt from taxation in said school district, as now provided by law, and its collection shall be enforced as in the case of State and County Taxes, and the same shall be disbursed by the said Trustees of the Rock Hill School District for graded and high school purposes, as now provided by law, the

said tax so levied to be used for both purposes in the discretion of said Trustees of the Rock Hill School District.

§ 6. **Construction.**—Nothing herein contained shall be construed to change the manner now provided by the law for the levying, collection and paying out of special taxes in said school district under any special Act of the General Assembly, nor to affect or invalidate any taxes now levied, assessed and collectible in said school district.

§ 7. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 8. This Act to take effect immediately upon its approval by the Governor.

Approved the 10th day of May, 1937.

(521)

No. 260.

AN ACT to Prescribe the Time that Taxes Shall Be Due and Payable in Chester County.

Section 1. Time taxes due and payable, Chester County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the passage of this Act all taxes in Chester County shall be due and payable between the 15th day of October and the 31st day of December after their assessment in each and every year.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(443)

No. 261.

AN ACT to Require the Auditor of Orangeburg County to Place the Postoffice Address Upon the Tax Return of Each Taxpayer of Orangeburg County, and to Require the Treasurer to Notify Each Taxpayer the Amount of His or Her Taxes.

Section 1. Place taxpayer's postoffice address upon tax return, Orangeburg County.—Be it enacted by the General Assembly of the State of South Carolina: Commencing with the year 1938 the Auditor of Orangeburg County is hereby directed to yearly place upon each tax return of the taxpayers of Orangeburg County the Postoffice address of the taxpayer in all instances where such ad-

dress can be ascertained and record the same on the Treasurer's duplicate.

§ 2. Notify taxpayers amount of taxes due, Orangeburg County.—That the Treasurer of Orangeburg County is hereby directed to annually, on or before the first day of October, or as soon thereafter as practicable, notify by mail each taxpayer in Orangeburg County the amount of his or her taxes for the current year in which such notice is sent out; that, in notifying the taxpayers, the Treasurer shall use the address of the taxpayer as furnished by the Auditor on the return of such taxpayer.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 30th day of April, 1937.

(444)

No. 262.

AN ACT to Regulate the Use of Milk Bottles, Milk Cans and Milk Bottle Crates.

Section 1. Use only own milk bottles, milk cans and milk bottle crates.—Be it enacted by the General Assembly of the State of South Carolina: It shall be unlawful for any person, firm or corporation to bottle milk or other dairy products in any bottle not the property of such person, firm or corporation, or to use milk bottles, milk cans or milk bottle crates not the property of such person, firm or corporation.

§ 2. Dealers sell, exchange or ship.—It shall be unlawful for any person, firm or corporation to collect, have or possess milk bottles, milk cans or milk bottle crates for sale or for exchange for a consideration or for shipment within the State of South Carolina, or from the State of South Carolina, excepting only wholesale and retail dealers in milk bottles, milk cans and milk bottle crates who pay a license to the city or town in which they operate and who purchase milk bottles, milk cans and milk bottle crates from the manufacturers or their representatives for the purpose of resale to dairy-men and persons operating milk depots.

§ 3. Time possess.—It shall be further unlawful for any person, firm or corporation to retain possession of any milk bottles, milk cans or milk bottle crates not his, her or its property for a period longer

than seven (7) days: *Provided, However,* That this section shall not apply to any retail consumer who purchased the milk which came in any such bottle.

§ 4. Not place offensive material in milk containers.—It shall be unlawful for any person, firm or corporation to place or permit to be placed in any milk container designed to be again used in the production, sale or delivery of milk or other dairy products in the State of South Carolina and the police jurisdiction of same, swill, offal, kerosene, gasoline, food products other than milk, coal dust, ashes, or other offensive material.

§ 5. Penalty.—Any person, firm or corporation violating the provisions of Section 4 of this Act shall be punished upon conviction by a fine of not exceeding \$100.00 or imprisonment not exceeding 30 days, and any person, firm or corporation violating any other provision of this Act shall be punished upon conviction by a fine not exceeding \$200.00 or imprisonment not exceeding 60 days, either or both, or any portion of either or both, in the discretion of the Court.

§ 6. Time effective—cumulative.—This Act shall be effective upon its ratification and shall be in addition to all other laws for the protection to the owners of milk bottles, milk cans and milk bottle crates.

§ 7. Repeal.—All Acts or parts of Acts in conflict with this Act are and the same are hereby repealed, only so far as they are in conflict herewith.

Approved the 1st day of May, 1937.

(446)

No. 263.

AN ACT to Authorize Any County Officer of Any County in the State of South Carolina to Deliver to Any Representative of the University of South Carolina Any Records of His Office Which Have Become Obsolete.

Section 1. County officers deliver to University of South Carolina obsolete records.—Be it enacted by the General Assembly of the State of South Carolina: That any county officer of any county of this State is hereby authorized to deliver to any representative of the University of South Carolina, such representative to be appointed by the President of the University for that purpose, such records and papers which may be in his office and which records are out of date, obsolete and unnecessary in the conduct of and use in the busi-

ness of said office. *Provided*, That nothing herein shall be construed as mandatory. And *Provided Further*, that the governing body of each county shall first pass upon the question as to whether or not such records are obsolete and unnecessary.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(447)

No. 264.**AN ACT to Make It Unlawful to Fish with Anchor Nets, Stake Row Nets and Pound Nets for Shad and Sturgeon Within the Three Mile Limit from the Jetties of Winyah Bay.**

Section 1. Nets not fish with for shad and sturgeon within three mile limit from jetties of Winyah Bay.—Be it enacted by the General Assembly of the State of South Carolina: It shall be unlawful to fish at any time within the three mile limit out to sea from the jetties of Winyah Bay with anchor nets, stake row nets and pound nets for shad and sturgeon.

§ 2. **Penalty.**—Any violation of this Act shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment for not more than two years, or by a fine and imprisonment in the discretion of the Court.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(448)

No. 265.**AN ACT to Provide for a Cotton Weigher for the Town of Darlington, and Prescribe His Duties and Compensation.**

Section 1. Cotton weigher, town of Darlington—appointment—term.—Be it enacted by the General Assembly of the State of South Carolina: The Board of Directors for the County of Darlington shall, by August 1st, annually appoint a cotton weigher for the cotton market in the Town of Darlington, who shall hold office for one year and until his successor shall be appointed and qualified.

§ 2. **Compensation—duties—deputies.**—Each cotton weigher so appointed shall receive the compensation of ten (10¢) cents, per bale, one-half to be paid by seller and one-half to be paid by buyer, after taking the oath now provided by the Constitution, and being sworn to discharge the duties of his office. He shall make proper deductions for water, dampness, damaged cotton and false packing, and daily test his scales so as to insure accuracy. He shall have the right to appoint a deputy or deputies to act in his stead, and assist him in the discharge of the duties of the office.

§ 3. **Weigh cotton purchased when no charge made.**—Nothing in this Act shall prevent one from weighing cotton by him purchased, or hiring it weighed, when no charge is made therefor.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(449)

No. 266.

AN ACT to Amend Act No. 924 of the Acts of the General Assembly of South Carolina, 1936, Entitled "An Act to Establish a Township Form of Government for Folly Island, Charleston County, State of South Carolina", Approved June 1, 1936, so as to Give the Board of Township Commissioners for Folly Island Power and Authority to Regulate and License Businesses, Including Hawking and Peddling, Carried on on Folly Island.

Section 1. Act 924, 1936 Acts, amended—regulate and license businesses on Folly Island.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 924 of the Acts of the General Assembly of South Carolina, 1936, entitled "An Act to Establish a Township Form of Government for Folly Island, Charleston County, State of South Carolina", approved June 1, 1936, be, and the same is, hereby amended by adding at the end of Section 4 of said Act the following:

"The said Board of Township Commissioners of Folly Island, Charleston County, State of South Carolina, is hereby authorized and empowered to regulate and license any and all businesses, including that of hawking and peddling, carried on on said Island, with the

same powers and authorities as possessed by and invested in Municipal Corporations under the general laws of this State."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(455)

No. 267.

AN ACT to Exempt Manufacturing Establishments in Orangeburg County from County Taxes for Five Years, Except for School Purposes, in Certain Cases, and to Authorize the County Auditor of Said County to Determine the Industries Therein Entitled to the Exemption Provided for.

Section 1. Additions to manufacturing establishments exempt from certain taxes, Orangeburg County.—Be it enacted by the General Assembly of the State of South Carolina: That all manufacturing establishments in Orangeburg County making additions to existing manufacturing enterprises shall be exempt from all county taxes on such additions, except for school purposes, for five years from the time of the additions to such manufacturing enterprises.

§ 2. **County auditor determine establishments entitled to exemption.**—That the County Auditor of Orangeburg County be and he is hereby authorized to investigate and determine what industries within the County of Orangeburg are entitled to the exemption herein provided for, and make the necessary entries on the tax records as to such exemption.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 1st day of May, 1937.

(457)

No 268.

AN ACT to Exempt Additions of Not Less Than Fifty Thousand (\$50,000.00) Dollars in Value to Existing Manufacturing Enterprises in Bamberg County from County Taxes for a Period of Five (5) Years.

Section 1. Certain additions to existing manufacturing enterprises exempt from certain taxes, Bamberg County.—Be it enacted by the General Assembly of the State of South Carolina: That all additions to existing manufacturing enterprises in Bamberg County, where the cost of such addition, or additions, is not less than Fifty Thousand (\$50,000.00) Dollars, shall be exempt from all county taxes, except for school purposes, for a period of five (5) years from the installation or establishment of such additions to existing manufacturing enterprises.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 1st day of May, 1937.

(458)

No. 269.

AN ACT. to Amend Act No. 61 of the Acts of South Carolina, 1935, Entitled "An Act to Promote the Objects of the National Housing Act Authorizing Banks, Savings Banks, Trust Companies, Etc.", so as to Clarify the Provisions of Said Act as the Same Pertain to the Federal Housing Act.

Section 1. Act 61, 1935 Acts, amended—loans and advances of credit financial institutions make.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 61 of the Acts of South Carolina, 1935, entitled "An Act to Promote the Objects of the National Housing Act Authorizing Banks, Savings Banks, Trust Companies, etc.", be, and the same is hereby, amended by striking out Section 1 and inserting in lieu thereof the following as Section 1:

"Section 1: Banks, Savings Banks, Trust Companies, Insurance Companies and other financial institutions subject to the laws of this State, are authorized: (a) To make such loans and advances of credit as are eligible for insurance by the Federal Housing Administrator and to obtain such insurance. (b) To make such loans, secured by real property or lease-hold, as the Federal Housing Administrator insures or makes a commitment to insure and to obtain such insurance."

§ 2. Same—financial institutions and fiduciaries invest in mortgages insured by and debentures issued by federal housing

administrator, and securities issued by national mortgage associations.—That Act No. 61 of the Acts of South Carolina, 1935, be, and the same is hereby further amended by striking out Section 2 and inserting in lieu thereof the following as Section 2:

“Section 2: It shall be lawful for banks, savings banks, trust companies, insurance companies and other financial institutions, executors, administrators, guardians, committees, conservators, and other fiduciaries subject to the laws of this State, to invest their funds and the monies in their custody or possession, eligible for investment, in mortgages insured by the Federal Housing Administrator, including bonds secured by a mortgage so insured, and in debentures issued by the Federal Housing Administrator and in securities issued by National Mortgage Associations.”

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(461)

No. 270.

AN ACT to Authorize Closing of Public Offices in Marlboro, Sumter, Beaufort and Georgetown Counties During Certain Periods of the Year.

Section 1. Close public offices certain hours each week from May to September, Beaufort, Georgetown, Marlboro and Sumter Counties.—Be it enacted by the General Assembly of the State of South Carolina: That the Clerk of Court, and all other public Officers of Marlboro, Sumter, Beaufort and Georgetown Counties, are authorized to close their offices from one o'clock P. M. until the following morning for one business day during each week from May 1st to September 1st of every year.

Provided, in Sumter County such offices as are hereinabove designated shall close at one o'clock P. M. on Thursday of each week during the period of time heretofore specified.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(462)

No. 271.

AN ACT to Empower South Carolina Tax Commission to Relieve Bottlers of Soft Drinks, Wholesale Dealers in Tobacco Products, Wholesale Dealers in Beers, Ales, Porter, and All Other Similar Malt or Fermented Beverages Declared to be Non-Alcoholic and Non-Intoxicating Intended to be Shipped and Sold to Points Without the State, from Affixing Thereto Stamps or Crowns.

Section 1. Not affix revenue stamps or crowns on soft drinks, tobacco products and certain beverages intended for out of state use—store in separate compartment.—Be it enacted by the General Assembly of the State of South Carolina: That the South Carolina Tax Commission be empowered to promulgate rules and regulations permitting bottlers of soft drinks, wholesale dealers in tobacco products, wholesale dealers in beers, ales, porter, and all other similar malt or fermented beverages declared to be non-alcoholic and non-intoxicating, to store such articles as are intended to be sold and shipped to points without the State, in separate compartments of their place of business without affixing the revenue stamps or crowns now required by law.

§ 2. Penalty.—That any bottlers of soft drinks, wholesale dealers in tobacco products, wholesale dealers in beers, ales, porter, and all other similar malt or fermented beverages declared to be non-alcoholic and non-intoxicating, violating the rules and regulations of South Carolina Tax Commission permitting the storage of these articles, without affixing the required stamps or crowns, shall be liable for the penalties prescribed in Sections 2521-2555, inclusive of Volume II, Code of Laws of 1932.

§ 3. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 30th day of April, 1937.

(465)

No. 272.

AN ACT to Amend Section 4 of Act No. 777 of the Acts of South Carolina, 1932, Entitled "An Act to Provide for the Incorporation, Organization and Operation of Cash Depositories in the State of South Carolina", as Amended by Act No.

126, of the Acts of South Carolina, 1933, and by Act No. 63, of the Acts of South Carolina, 1935, so as to Provide That Officials of Cash Depositories May Deposit Cash or Securities with the State Treasurer in Lieu of Furnishing Fidelity Bond; and to Authorize Cash Depositories to Secure Deposits of Public Funds Under Certain Conditions.

Section 1. Act 777, 1932 Acts, amended—officials of cash depositories deposit cash or securities with state treasurer in lieu of furnishing bond—security for public funds.—Be it enacted by the General Assembly of the State of South Carolina: That Section 4 of Act No. 777 of the Acts of South Carolina, 1932, entitled “An Act to Provide for the Incorporation, Organization and Operation of Cash Depositories in the State of South Carolina”, as amended by Act No. 126 of the Acts of South Carolina, 1933, and by Act No. 63 of the Acts of South Carolina, 1935, be amended by striking out Section 4 and inserting in lieu thereof the following as Section 4:

“Section 4: Deposits may be accepted in any lawful money of the United States and shall be subject to call without notice, during regular banking hours, the deposits shall be kept in cash, in safe vaults or safes, with adequate insurance protection, policies therefor to be issued by a company or companies licensed to do business in the State of South Carolina and shall be in an amount at least equal to the entire amount of cash and negotiable securities held in the depository; the official or officials having the custody of and access to such vaults and the money held in the cash depository shall be bonded with a Fidelity Bond by a bonding company licensed to do business in this State in a reasonable amount, not to exceed the average amount of cash on hand; this amount to be approved by the Chief Bank Examiner. *Provided*, In lieu of furnishing such Fidelity Bond, said officials may deposit with the State Treasurer cash or securities, to be approved by the Chief Bank Examiner, equal in value to the amount of Fidelity Bond herein required. *Provided, Further*, That the cash or securities placed with the State Treasurer shall not be removed or taken down except upon the written approval of the Chief Bank Examiner for the State of South Carolina, who shall fix the time when the same may be removed, not less than one year from the time of the request, and in no event can it be removed when there is any likelihood or probability of claims being filed which the security or cash was placed to protect. In case the deposits in cash become too bulky for convenience

or safe handling, the depository may invest any and all of such money (any surplus amounts exceeding ordinary business demands) in United States Securities, or bonds or other obligations of the State of South Carolina or any political subdivisions thereof, or cotton producers' notes, with required documents attached, eligible for sale to the Commodity Credit Corporation, to be held as cash at the cost price thereof, the interest earned thereon during the period of the holding to be the property of the cash depository: *Provided*, That the total amount of any such investment or investments other than in United States Securities shall not be in excess of twenty-five per cent of the total amount of deposits at the time of such investment. Should there be withdrawals at any time in excess of cash on hand, withdrawing depositors shall be required to accept the aforesaid securities at the cost price thereof as cash. Where there is any law requiring the pledge of securities for the deposit of public funds (funds of Governmental Units), Cash Depositories may comply therewith, provided such securities so pledged shall not exceed (at the cost price thereof to the Depository) the amount of the deposits secured thereby.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 30th day of April, 1937.

(466)

No. 273.

AN ACT to Amend Section 2167, Code of Laws of South Carolina, 1932, Relating to the Creation of a Forfeited Land Commission by Striking Out Subdivisions A, B, C, D, E, F, G, H, I, J, K, L, M, N, and O of the Said Section Relating to Union County, and Devolving the Duties of the Forfeited Land Commission Upon the Sinking Fund Commission for Said County, and Further Prescribing Its Duties.

Section 1. § 2167, 1932 Code, amended—duties of forfeited land commission devolved on sinking fund commission, Union County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2167, Code of Laws of South Carolina, 1932, be amended by striking out subdivisions a,

b, c, d, e, f, g, h, i, j, k, l, m, n, and o thereof and inserting in lieu thereof the following provisions to-wit:

"Provided Further, That in Union County the duties of the forfeited land commission shall be devolved upon the Sinking Fund Commission for the said County of Union, which said Commission shall take over the exclusive possession of all real estate forfeited for the non-payment and non-redemption of taxes, state, county, special municipal and also for the non-payment of license and street paving assessments, which said forfeited lands and real estate shall be disposed of by the said Commission as now required by law." So that when so amended, the said Section shall read as follows:

"Section 2167. A forfeited land commission is hereby created in each of the counties of this State, consisting of the county treasurer, county auditor and clerk of court, all acting *ex officio*, and who shall serve without compensation: *Provided,* That the chairman of the board of county commissioners or governing board of the various counties may serve on the forfeited land commission when officially designated by the county legislative delegation, and he shall have equal authority with other members of the commission and shall serve without compensation. *Provided,* That in Florence County there shall be appointed one (1) person to be known as forfeited land commissioner, such appointment to be made by the Governor upon the recommendation of a majority of the legislative delegation, whose duty it shall be to take charge of forfeited lands, sell same, receive deed for such land and make deed for the purchaser, and when same is sold and deed received, shall receive five (\$5.00) dollars for each such deed, said commissioner to hold for a term of four (4) years unless sooner removed for cause. *Provided, Further,* That in all counties having register of mesne conveyances that such register of mesne conveyance shall constitute a member of the said forfeited land commission for that county in lieu and stead of the clerk of the court; *Provided, Further,* That in Union County the duties of the forfeited land commission shall be devolved upon the Sinking Fund Commission for the said County of Union, which said Commission shall take over the exclusive possession of all real estate forfeited for the non-payment and non-redemption of taxes, state, county, special, municipal and also for the non-payment of license and street paving assessments, which said forfeited lands and real estate shall be disposed of by the said Commission as now required by law."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 30th day of April, 1937.

(467)

No. 274.

AN ACT to Amend Act No. 865, of the General Assembly of This State for the Year 1936, by Providing That the Chairman of the Board of Commissioners for Horry County Shall Give a Bond in the Sum of Five Thousand (\$5,000.00) Dollars.

Section 1.. Act 865, 1936 Acts, amended—bond of chairman of board of commissioners, Horry County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 865, of the General Assembly of the State of South Carolina, for the year 1936, be amended by adding at the end of Section 3 of said Act the following:

“The Chairman of said County Board of Commissioners shall enter into a bond with some surety company, authorized to do business in the State of South Carolina, in the sum of five thousand (\$5,000.00) dollars, for the faithful discharge of his duties”; so that said Section 3 of Act No. 865, when so amended, shall read as follows:

“Section 3: The Chairman of said County Board of Commissioners shall be nominated in the regular Democratic primary every two (2) years and upon certificate being made by the Democratic Executive Committee of Horry County that such person has been nominated for the position as Chairman of the County Board of Commissioners, it shall be the duty of the Governor to issue a commission to such person for a term of two (2) years and until his successor has been appointed and qualified. The Chairman of said County Board of Commissioners shall enter into a bond with some surety company, authorized to do business in the State of South Carolina, in the sum of five thousand (\$5,000.00) dollars, for the faithful discharge of his duties.”

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 30th day of April, 1937.

(471)

No. 275.

AN ACT to Prevent the City of Union from Conveying Any Real Property by It Owned.

Section 1. City of Union not transfer its real property.—Be it enacted by the General Assembly of the State of South Carolina: That the City of Union, South Carolina, be, and it is hereby prohibited from conveying, or by any manner transferring any real property now, or hereafter belonging to said City.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 30th day of April, 1937.

(472)

No. 276.

AN ACT to Exempt the Property in Richland County Owned by the Church Home Orphanage of York, S. C. from County Taxes of Said County.

Section 1. Property of Church Home Orphanage of York, S. C., exempt from taxes, Richland County.—Be it enacted by the General Assembly of the State of South Carolina: That all property in Richland County owned by the Church Home Orphanage of York, S. C., be, and the same is hereby, exempted from the payment of all County taxes of Richland County.

§ 2. This Act shall take effect upon its approval by the Governor.
Approved the 1st day of May, 1937.

(473)

No. 277.

AN ACT to Authorize the State Highway Commission to Purchase from Georgetown County the Bridge Across the Black, Pee Dee and Waccamaw Rivers on U. S. Route 17 at Georgetown; to Authorize the State Highway Commission to Free Said Bridge of Toll Charges; and to Authorize the Georgetown County Authorities to Sell Said Bridge to the Said Commission; and to Provide for the Issuance of State Highway Certificates of Indebtedness to Raise Funds for the Purchase of Said Bridge.

Section 1. State highway commission purchase bridge across Black, Pee Dee and Waccamaw Rivers on U. S. route 17 at Georgetown—Georgetown County sell.—Be it enacted by the General Assembly of the State of South Carolina: The State Highway Commission is hereby authorized to purchase the bridge across the Black, Pee Dee and Waccamaw Rivers on U. S. Route 17 at Georgetown at a price equal to the value of the now existing or outstanding bonds issued by said County to finance the construction of said bridge and the Board of County Commissioners of Georgetown County is hereby authorized and empowered to sell the same to the said Commission in accordance with the terms and provisions of this Act. The State Highway Commission and the Board of County Commissioners of Georgetown County are hereby authorized and empowered to enter into a reimbursement agreement whereby the said Commission may provide for the payment of the purchase price of said bridge in such annual installments as will be sufficient to meet the principal and interest of the existing or outstanding indebtedness of Georgetown County on account of the construction of the said bridge as such principal and interest respectively become due; or the State Highway Commission, at its option, is hereby authorized and empowered to use its funds for the purpose of purchasing the said bridge or purchasing the obligations of Georgetown County now existing or outstanding on account of the construction of said bridge. The State Highway Commission is hereby further authorized and empowered to use its funds on hand or funds derived from the proceeds of the sale of State Highway Certificates of Indebtedness for the purpose of carrying out the provisions of this Act. For the purposes of any statute authorizing the State Treasurer to issue State Highway Certificates of Indebtedness of the State of South Carolina to complete or construct the State Highway System the cost of acquiring said bridge and approaches shall be deemed to be a part of the cost of constructing and completing said State Highway System. Such certificates of indebtedness may be issued without public offering and delivered direct to said County in lieu of cash in payment of the purchase price of said bridge, provided such certificates do not bear interest at a rate greater than 3% per annum. Neither such certificates of indebtedness issued to purchase said bridge nor such payments agreed to be made to said County shall be deemed to be indebtedness of the State Highway Commission or Department for the purposes of any limitation or restriction upon the amount of indebt-

edness which may be incurred or assumed by said Commission or Department contained in Acts Numbers 831 and 984 of the Acts of 1936 and in Act Number 958 of the Acts of 1934. The State Highway Commission and the Board of County Commissioners of Georgetown County are hereby authorized and empowered to do any and all things deemed necessary by them for the purpose of carrying out the provisions of this Act. Any State Highway Certificates of Indebtedness issued to acquire said bridge and approaches shall be issued by the State Treasurer as provided in Act Number 831 of the Acts of 1936.

§ 2. Free bridge of toll charges—part of state highway system.—After the execution of an appropriate agreement by and between the said State Highway Commission and the said County authorities providing for the purchase of the said bridge the State Highway Commission shall, as soon as practicable thereafter, free said bridge of all toll charges and thereafter the said bridge is hereby declared a part of the State Highway System.

§ 3. Purchase according to reimbursement agreement—duty of county—bondholders consent to sale and agree to certain terms.—If the State Highway Commission shall elect to purchase the said bridge pursuant to a reimbursement agreement as herein authorized the said reimbursement agreement shall be pledged by the County to the payment of the now existing or outstanding indebtedness of the County on account of the construction of said bridge and all funds received by the County pursuant to said reimbursement agreement shall be used by the County solely for the payment of such indebtedness but for no other purpose. The State Highway Commission may, in its discretion, make reimbursement payments authorized by this Act either to the County or to the holder or holders of the bridge bonds or obligations. Any reimbursement agreement made pursuant to this Act shall be made in accordance with and subject to the limitations and restrictions prescribed by Section 2510 of the Civil Code and no reimbursement agreement shall be made pursuant to this Act unless the holders of all said bonds issued by said County to finance the construction of said bridge and approaches shall consent to the sale of said bridge to the State Highway Commission and shall agree that the statutory lien granted to said holders shall be deemed satisfied and extinguished and shall waive performance by said County of any covenant or agreement made by said County in issuing said bonds to charge tolls or other rates for services furnished by said

bridge. Such consent, agreement and waiver shall be deemed to be given or made in consideration for the making of such reimbursement agreement and shall be evidenced by a suitable statement to be endorsed upon each of said bonds with the consent of the holder of such bond.

§ 4. **Funds Georgetown County pay to state highway commission.**—If and when the State Highway Commission purchases the bridge as authorized in this Act Georgetown County shall pay to the State Highway Commission its sinking funds and contingent funds in the amount of \$24,613.87.

§ 5. **“Bridge” defined.**—The term “Bridge” as used in this Act includes causeways and approaches.

§ 6. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 4th day of May, 1937.

(475)

No. 278.

AN ACT to Provide a System of County Government for the County of Darlington and to Provide for the Appointment and Powers and Duties of the Various County Officers to be Elected or Appointed Hereunder and Other County Officers, and to Repeal All Legislation Inconsistent Herewith.

Section 1. County board of directors, Darlington County— appointment—districts.—Be it enacted by the General Assembly of the State of South Carolina: A County Board of Directors is hereby created to constitute the governing board of Darlington County. The Board shall consist of five (5) members. The original Board created hereunder shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation from Darlington County. One member of said Board shall come from each of the five Districts into which the County is hereby divided for that purpose, said Districts to be as follows:

District No. 1 to be composed of all that territory included in Darlington, Mechanicsville and Palmetto Townships; District No. 2 to be composed of all that territory included in Hartsville, Antioch and Clyde Townships; District No. 3 to be composed of all that territory

included in Lamar and Lydia Townships; District No. 4 to be composed of all that territory included in Leavensworth, Society Hill; and Swift Creek; District No. 5 to be composed of all that territory included in High Hill, and Philadelphia, and Lake Swamp.

§ 2. Term—election—vacancy.—Except as to the members first appointed the term of office of the members of said Board shall be two (2) years, and until their respective successors are elected and qualified. In the primary and general elections in 1938, an election shall be held to fill the office of the members of the Board, appointed hereunder, whose terms expire June 30th., 1939. A vacancy occurring on the Board for any District shall be filled, for the unexpired term, by the Governor, upon the recommendation of the Senator and a majority of the Legislative Delegation in the General Assembly from Darlington County.

§ 3. Meetings—chairman — bond — vice-chairman.—The said Board shall meet as soon as practicable after their appointment under the terms herein stated and monthly thereafter at a time to be designated by the Board, and at such other times as the Board may designate, from time to time.

The said Board shall elect from its members a Chairman, with such duties, powers and authority as the Board may see fit to devolve upon or vest in him. Each member of the Board before entering upon the discharge of the duties of his office, shall execute a fidelity bond in the sum of Five Thousand (\$5,000.00) Dollars, in favor of the County with a surety company authorized to do business in this State. The premium on said bonds shall be paid from county ordinary funds. The Board shall also elect from its members a Vice Chairman, who, in the event of and during the absence of the Chairman from the County, or in the event of the resignation or death of the Chairman, or in the event of his incapacity from any cause to attend the meetings of the Board, shall preside over the meetings of the Board, and may call meetings of the Board, and perform all of the duties and exercise all of the powers of the Chairman of the Board.

§ 4. Duties and powers—report to legislative delegation on expenses, revenue, etc.—All executive and administrative duties, powers and authority necessary for the government of Darlington County and that are not inconsistent with the Constitution or laws of this State, including all the duties, powers and authority heretofore imposed upon or vested in the County Commissioners and County

Supervisor of said County and which are consistent with the provisions of this Act, and all the duties, powers and authority that are now devolved upon or vested in the County Board of Directors of Darlington County, and that are not inconsistent herewith are hereby devolved upon and vested in the Board hereby created.

On or before January 15th. of each year the said Board shall prepare and submit to the Legislative Delegation of the said County an itemized statement of all needful appropriations together with the estimated revenue accruing to the County for all sources and in such form that the sums may be used as the basis for the annual county appropriation bill. It is also made the duty of the Board to make recommendations to the Delegation in respect to needful legislation in the interest of an efficient administration of the affairs of the County.

§ 5. County clerk—county engineer— department of education—sinking fund commission—delinquent tax collector—forfeited land commission—department of health and public welfare—department of public works—legal department.—The government of the County under the jurisdiction and control of the Board, shall be divided into departments, as follows:

(a) County Clerk—There shall be a County Clerk who shall be elected by the County Board of Directors to serve at the will of the Board. He shall be Secretary of the Board and of the County Sinking Fund Commission. He must be an experienced accountant and auditor and shall prescribe, maintain and operate an accounting system or systems for the County, shall examine and audit the accounts of all County officers, including magistrates, at such time or intervals as the County Board of Directors may designate. He shall examine all warrants and vouchers for the disbursement of funds and all orders for the purchase of materials or supplies for the County. No disbursements shall be made, and no liability or contract for purchases or otherwise shall be incurred or made without the certificate of the County Clerk that he has examined the purchase orders, vouchers or other documents relating to the same, and that funds have been appropriated to meet the disbursement to be made or the liability so incurred. The County Clerk shall perform all the duties that are incident to his office and all other duties that may be required of him by the Board, and shall receive such compensation for his services as the County Board of Directors may prescribe. Before entering upon the discharge of his duties, he shall execute a fidelity bond

in the sum of Ten Thousand (\$10,000.00) Dollars, in favor of the County, with a surety company authorized to do business in South Carolina, and the premium on said bond shall be paid from County ordinary funds. *Provided*, That except school warrants approved by the County Superintendent of Education, and except as otherwise hereinafter provided, no warrant for the payment of any salary, purchase, service, or any other obligation of the County, shall be issued unless signed or countersigned by the County Clerk and the Chairman of the County Board of Directors (or by the Vice-Chairman of the County Board of Directors who is acting in the place of the Chairman); and no disbursement of County funds of any character whatsoever on the part of the County, or of any department of the County government or of any officer or employee thereof, shall be made except by County warrant, executed as aforesaid.

(b) County Engineer—There shall be a County Engineer who shall be elected by the County Board of Directors for the term of two (2) years, but who may be removed by the Board at any time for cause. Subject to the control and direction of the Board he shall be the chief executive officer of the County and shall represent the Board in the administration of the County's business and affairs when the Board is not in session. It is made the duty of the County Engineer as Purchasing Agent to purchase all goods, office equipment and supplies, wares, merchandise, supplies, groceries and other articles which may be needed by the County from time to time, but all such purchases shall be made under such regulations, rules and restrictions and in such manner as may be directed by the County Board of Directors. He shall be the custodian of all public buildings and other real property, all road machinery and chaingang camp equipment; and with respect to the public buildings and other real property, he shall be subject to the direction of the County Board of Directors, and with respect to the road machinery and chaingang camp equipment, but in all such matters it is made his duty in the first instance to care for the property and bring to the attention of the County Board of Directors any and every matter which, in his opinion is needful in the proper handling of the affairs of the County. He shall perform such other duties as may be required by the County Board of Directors. The County Supervisor shall receive such compensation for his services as the County Board of Directors may prescribe. Before entering upon the discharge of his duties, he shall execute a fidelity bond in the sum of Five Thousand (\$5,000.00)

Dollars, in favor of the County, with a surety company authorized to do business in South Carolina and the premium on said bond shall be paid from the County ordinary funds. In the performance of his duties the County Engineer shall appoint such subordinates and such employees as may be authorized by the Board, and upon terms and for compensation authorized by the Board.

(c) Department of Education—The County Board of Education of Darlington County shall be composed of one member of the County Board of Directors, who, *ex officio*, shall be Chairman, and four (4) members to be elected by the County Board of Directors, which four members shall receive such compensation for their services as may be prescribed by the County Board of Directors. All members of the Board of Education shall be paid from the funds of the County at the rate of five (5¢) cents per mile for each mile of travel in attendance upon meetings of the Board. One of said members shall be elected for a term of two years, one for a term of three years and two for a term of four years from the first day of July, 1937, and shall serve until their successors shall have been elected and qualified, subject, however, to removal, for cause, by the County Board of Directors. The successors of the members first elected, and all subsequent members, shall be elected for terms of four years. A vacancy, for any cause, shall be filled, for the unexpired term, by the County Board of Directors. The Chairman shall have no vote unless the other members of the Board are equally divided.

The County Board of Education shall perform all the duties now imposed upon, and shall possess all the powers and authority now vested in the County Board of Education of Darlington County, and shall furnish to the County Board of Directors any and all information relating to the public schools of the County that it may require from time to time. The County Superintendent of Education shall execute a fidelity bond in the sum of five thousand (\$5,000.00) Dollars, in favor of the County with a surety company authorized to do business in South Carolina, and the premium on said bond shall be paid from County ordinary funds. He shall furnish to the County Board of Education any and all information relating to the public schools of the County that it may require, from time to time, and shall receive such compensation for his services as the County Board of Directors may prescribe. A vacancy in the office of County Superintendent of Education for any cause, shall be filled for the unexpired term by the County Board of Education.

(d) Sinking Fund Commission—A Sinking Fund Commission is hereby created, to consist of one member of the County Board of Directors to be designated by the Board, and who shall be Chairman *ex officio*, and three (3) members to be appointed by the Board from the County at large. The three members to be so appointed shall be men of substantial experience in the fields of business or finance. Their terms of office shall be for four (4) years, and until their successors are elected and qualified, except that the members first appointed (other than the member who is designated from the membership of the Board) shall serve only until June 30th, 1938, at which time new members shall be appointed for a four year period. The members of this Commission shall serve without compensation, except that they shall be paid at the rate of five cents per mile for each mile of travel required to enable them to attend meetings of the Commission. Before entering upon the performance of their duties, the members of the Commission other than the one designated from the Board shall each give bond in the sum of Twenty Thousand (\$20,000.00) Dollars, for the faithful performance of their duties, the premiums on said bonds to be paid out of the County ordinary funds.

The Sinking Fund Commission shall exercise its powers subject to the supervision and control of the Board and shall report to the Board at least one each year, and oftener if so required by the Board, all of its transactions and the securities acquired and held by it, and shall furnish such other information as may be required by the Board. The County Clerk shall perform the duties of Secretary of the Sinking Fund Commission, and shall attend all meetings of the Commission and perform all of the clerical work incident to the performance of the duties of the Commission.

The Sinking Fund Commission shall have all of the powers and duties and exercise all of the functions which are now devolved by law upon the Sinking Fund Commission of Darlington County.

The necessary expenses of the Sinking Fund Commission for the purchase of supplies, or incurred in connection with the purchase of securities, and the keeping and maintenance of proper records and accounts, may be paid by the Commission out of any income coming into the hands of the Commission, provided that the total of such expenses shall not exceed the sum of One Hundred (\$100.00) Dollars, per year, unless specially authorized by the County Board of Directors.

All funds and securities and other assets now or hereafter in the

hands of the Sinking Fund Commission are hereby declared to be the joint property of the respective political subdivision of Darlington County, whose indebtedness is serviced by the Commission, such ownership being in the proportion that the amount of funds of each political subdivision paid into the hands of the Commission bears to the total amount of funds received by the Commission, the purpose of this provision being that all income and profits collected by the Commission from securities held by it shall belong proportionately to all such political subdivisions, and that all losses sustained shall likewise be borne proportionately.

In addition to such powers, the Commission shall have power to sell in the usual business channels, in such manner and on such terms as to the members may seem best, any of the securities which may be held by the Commission from time to time, and to accept for the securities so sold an amount less than the face or par value thereof, if in the judgment of the Commission that is the sound course to pursue in respect to the particular securities; it shall also have power to exchange any securities in its hands for other securities of the same obligors, even though the terms and rates of interest of the new securities may be less favorable than those given in exchange, when in the judgment of the Commission this is the sound course to pursue; it shall also have power to compromise any obligations due to it, or securities held by it, and to enter into any refunding or reorganization plan, whether involving the substitution of securities or not, proposed by any obligor for the purpose of adjusting, refunding, or settling obligations held by the Commission; provided that in the exercise of any of the powers conferred by this section, the members of the Commission shall act only by unanimous vote, except that where a majority of the members of the Commission favor the exercise of any power confirmed by this section, such power may be exercised by a majority of the members of the Commission upon the written approval of a majority of the members of the Board of Directors.

Whenever any political subdivision of Darlington County for which the Commission is holding sinking funds or sinking fund securities has discharged all of its outstanding obligations, both principal and interest, so that there is no further occasion for the accumulation of a sinking fund in the hands of the Commission for such political subdivision, the Commission shall pay and deliver to the Treasurer of Darlington County, for credit to such political subdi-

vision, the money or securities in the hands of the Commission which have been accumulated or which in any manner have been received by the Commission for the account of said political subdivision.

E. Delinquent Tax Collector—A department of Delinquent Taxes is hereby created. Subject to the control of the County Board of Directors the said department shall be in charge of an official to be known as the Delinquent Tax Collector of Darlington County. The present Delinquent Tax Collector shall hold office until June 30th, 1939, at which time his successor shall be appointed by the Board. The appointment shall be made for a term of two years and the appointee shall be subject to removal by the Board for cause. The Delinquent Tax Collector shall have such assistants as may be authorized by the Board. One such assistant may be provided for office work, and additional assistants may be provided by the Board for work in the field to collect taxes, levy executions, and perform other duties that may be required by the Delinquent Tax Collector or by the Board. All employees of the office of the Delinquent Tax Collector shall hold office at the pleasure of the Board, and their compensation shall be fixed by the Board. All salaries and other expenses of the office shall be fixed by the Board.

The powers and duties of the Delinquent Tax Collector, except as herein otherwise provided, shall be those provided by Act No. 87 of the Acts of the General Assembly of 1935 (p. 103).

Before entering upon the performance of his duties, the Delinquent Tax Collector shall give bond for the faithful performance of his duties in the sum of Ten Thousand (\$10,000.00) Dollars, with a surety approval by the Board of County Directors. All other employees of the said office shall give bond, with a surety approved by the Board, in such amount as may be fixed by the Board. The premiums on all such bonds shall be paid from the general funds of the County.

(f) Forfeited Land Commission—The Board of County Directors shall constitute a Forfeited Land Commission of Darlington County. The provisions of Act No. 666 of the Acts of the General Assembly of 1934 (p. 1224) and any amendments thereto, are hereby adopted for the purpose of prescribing the powers and duties of this Commission.

(g) Department of Health and Public Welfare—This department shall be under the control of the Board. A County Health Officer shall be appointed by approval of the Board to serve for a term of

two (2) years and until his successor is elected and qualified. He shall be a licensed physician who has practiced his profession for at least five years. It shall be the duty of the County Health Officer to attend the medical needs of the Jail and Chaingang, and he shall visit these places as often as is required by the Board. He shall receive such compensation, give such bond, employ such assistants, and perform such duties and exercise such functions as may be required by the Board. He shall conduct his work in association with and subject to the jurisdiction of the State Board of Health as now provided by law, and in all respects shall see to the carrying out in Darlington County of the general laws of the State respecting health and sanitation. He shall attend the meetings of the Commission of Public Welfare, and assist that body in the performance of its duties.

In addition to the County Health Officer there shall be appointed a County Commission of Public Welfare by the Board. This Commission shall consist of five (5) members, one of whom shall be a member of the County Board of Directors and shall be *ex-officio* Chairman of the Commission and the others of whom shall be appointed by the Board for a term of two (2) years, or until their successors are elected and qualified. Such Commission members shall receive no compensation for their services, but shall be paid from the funds of the County at the rate of five (5¢) cents per mile for each mile of travel in attendance upon meetings of the Commission. A Vice-Chairman may be appointed by the Commission to serve in the absence of the Chairman.

This Commission may be abolished by the Board at any time, whenever in the opinion of the Board conformity to state or federal legislation is desirable in order to obtain state and/or federal funds for the conduct of relief work in Darlington County, and in that event the Board shall have full power to appoint a new Commission to meet the requirements of such legislation.

All poor relief on the part of the County of Darlington shall be conducted by the Commission of Public Welfare, subject to the control of the Board, unless under the order of the Board some other plan of poor relief is provided to conform to any applicable State and/or Federal legislation.

All funds provided by the County for the use of this Commission shall be provided in lump sums, monthly or otherwise, as may be ordered by the Board, on warrants to be executed as other warrants for the disbursement of County funds; but the distribution of poor relief funds by the Commission may be made in any manner au-

thorized by the Board. The expenses of the Commission, including salaries of the employees thereof, shall be payable in pursuance of State legislation applicable thereto. The books of the Commission shall be audited by the County Clerk at least once each year or whenever ordered by the Board.

The Commission of Public Welfare shall make no contracts of employment and incur no obligations of any kind without the approval of the County Board of Directors.

(h) Department of Public Works—The public works of the County, including the supervision and maintenance of all public buildings and other public property, both real and personal, and the construction, maintenance and supervision of public roads, bridges, and other public works, and the operation and maintenance of the Chaingang, shall be under the direct control and supervision of the County Board of Directors. One member of the Board shall be assigned to advise with the County Supervisor, in the interim between meetings of the Board, to represent the Board in the management of this department of county activities.

(1) Legal Department—As legal adviser to the County Board of Directors, there shall be appointed by the Board a member of the South Carolina Bar who is also a member of the Darlington County Bar.

Such appointment shall be made to continue at the pleasure of the Board, and the appointee shall receive such compensation as may be fixed by the Board. Such Attorney shall handle all legal business of the County except as herein otherwise provided, or as may be otherwise provided by the Board.

In the discretion of the Board, an attorney may be specially employee to perform the legal work incident to the duties of the offices of Delinquent Tax Collector and County Auditor, and to advise such officials in the performance of their duties. Such attorney, if appointed, shall be charged with the duty of seeing that all laws relating to the conduct of the offices of Delinquent Tax Collector and of the County Auditor are brought to the attention of such officials, and that all laws relating to the listing of property for taxation, the levying of executions for delinquent taxes, and the sale of property to enforce payment of such taxes, and the handling of the proceeds of such sales, are fully complied with. He shall also see that the titles to lands acquired by the Forfeited Land Commission are properly prepared, executed and recorded.

Such attorney shall hold office at the pleasure of the Board and receive such compensation as may be prescribed by the Board. In the discretion of the Board, the attorney so appointed may be the County Attorney, or any other member of the Bar of Darlington County.

§ 6. **County warrants—contracts.**—It shall be a misdemeanor, punishable by fine or imprisonment, or both, in the discretion of the Court, to procure the issuance of a county warrant by wilful misrepresentation of any material fact leading to the issuance of such warrant, or to negotiate any county warrant with the knowledge that the same has been issued in violation of law, or to write upon such county warrant anything to give color of validity or value to the same, after the same has been issued without the authority of the Board. Any contract made and any debt incurred by or in the name of the County of Darlington, in violation of provisions of this Act, shall be unenforcible and void.

§ 7. **Acts 145, 1933 Acts, and 921, 1936 Acts, repealed—election of directors, Darlington County—Darlington County government—further repeal.**—Act No. 921, of the Acts of the General Assembly of 1936, Act No. 145 of the Acts of the General Assembly of 1933, and all other Acts which in whole or in part, are inconsistent with the terms of this Act, are hereby repealed.

§ 8. **Invalidity.**—If any section of the provisions of this Act be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of this Act as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

§ 9. **Repeal.**—All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 10. **Time effective.**—This Act shall take effect upon its approval by the Governor.

Approved the 1st day of May, 1937.

(477)

No. 279.

AN ACT to Authorize the State Highway Department to Construct Federal Aid Secondary or Feeder Highways Including Farm to Market Roads.

Whereas, Under the provisions of the Hayden-Cartwright Act of June 16, 1936, the State of South Carolina, through the State Highway Department, will receive Federal Aid in the amount of approximately \$344,500.00 for the fiscal year beginning on the first

day of July 1937 for secondary or feeder highways, including farm to market roads, and a like amount for the fiscal year beginning on the first day of July 1938 for said purpose; and

Whereas, it is required that "secondary highway funds must be matched with 'State funds' raised under the authority of the State or any political or other sub-division thereof, and made available for expenditure under the direct control of the State Highway Department"; *Now, Therefore*:

Section 1. State highway department construct federal aid secondary highways.—Be it enacted by the General Assembly of the State of South Carolina: That the State Highway Department is hereby authorized to construct Federal Aid Secondary or Feeder Highways, including Farm to Market Roads, on such highways or sections of highways as may be necessary to comply with Federal Aid statutes, and governing regulations of the Bureau of Public Roads with respect thereto, regardless of whether, at the time of construction, such highways are in the State Highway System. For the purposes of this Act the State Highway Department is hereby authorized to participate in the cost of construction of roads which are not in the State Highway System in the same manner as is now provided by law for construction of roads which are in the State Highway System.

§ 2. Add such roads constructed to state highway system.—Every highway or section of highway constructed by the Highway Department pursuant to this Act shall upon completion be added to the State Highway System by the State Highway Commission pursuant to authority vested in the State Highway Commission by the provisions of Act No. 195, Acts of 1935, approved the 25th day of April, 1935.

§ 2-A. Effect on laws authorizing addition of roads to state highway system.—This Act shall not be construed as repealing any other law authorizing the addition of roads to the State Highway System, but shall be construed and held to be cumulative thereto.

§ 3. Repeal.—All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 4. Time effective.—This Act shall take effect immediately upon its approval by the Governor.

Approved the 8th day of May, 1937.

(480)

No. 280.

AN ACT to Authorize the Re-Location of the Section of State Highway No. 261 in and Between the Towns of Paxville and Pinewood in Clarendon and Sumter Counties.

Section 1. Re-locate state highway 261 between Paxville and Pinewood, Clarendon and Sumter Counties.—Be it enacted by the General Assembly of the State of South Carolina: The State Highway Department and/or the State Highway Commission are hereby authorized to re-locate, as it or they may deem advisable, the section of State Highway No. 261 in Clarendon and Sumter Counties in and between the Towns of Paxville and Pinewood.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5th day of May, 1937.

(485)

No. 281.

AN ACT to Amend Section 3106, Volume 2 Code of Laws of South Carolina, 1932, Relating to Deeds, Etc, of Railroads to be Recorded and the Marking of Certain Railway Equipment with the Name of the Vendor Etc, by Striking Out the Words "or Mortgagor" so as Not to Require the Word "Mortgagor" to be Marked on Each Side of Certain Railroad Equipment.

Section 1. § 3106, 1932 Code, amended—not mark "mortgagor" on each side of railroad equipment.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3106, Volume 2 Code of Laws of South Carolina, 1932, Relating to Deeds, etc, of Railroads to be Recorded and the Marking of certain Railway Equipment with the name of the Vendor etc., be, and the same is hereby amended by striking out the words "or mortgagor" on line fifteen of said section so that said section when so amended shall read as follows:

Section 3106: All Deeds of conveyance of railroad beds, tracks, and right of way, cars, locomotive engines, rolling stock and other railway equipment, all leases and mortgages or other conditional sale of, and all other instruments in writing relating to, such property

in this State delivered or executed on or after the first day of January, 1894, shall be valid, so as to affect from the time of such delivery or execution the rights of subsequent creditors or purchasers for valuable consideration without notice, only when filed in duplicate, within forty days from the execution and delivery thereof in the office of the Secretary of State: *Provided, Nevertheless,* That the above mentioned deeds, leases, mortgages and other conditional sales and instruments in writing, if filed subsequent to the expiration of said period of forty days, shall be valid to affect the rights of subsequent creditors and purchasers for valuable consideration without notice only from the date of said record. Each and every locomotive engine, car and other railway equipment, shall have the name of the vendor, lessor, bailor or mortgagor plainly marked on each side thereof, followed by the word "owner", "lessor", "Bailor as the case may be; and each deed of conveyance, lease, conditional sale and mortgage of such railroad property shall contain such a description thereof as will correspond to the name so marked thereon."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(488)

No. 282.

AN ACT to Amend Section 5350 of the Code of Laws of South Carolina, 1932, so as to Make Provisions for the Maximum and Minimum Area of School Districts in the County of Charleston.

Section 1. § 5350, 1932 Code, amended—area of school districts, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5350 of the Code of Laws of South Carolina, 1932, as amended, be and the same is hereby further amended, by adding at the end thereof a paragraph reading as follows, to-wit:

"The provisions of this Section relating to the maximum area of school districts shall not apply to school districts in Charleston County, whether heretofore or hereafter formed, but school districts in said County shall be subject to a maximum limitation of area of two hundred (200) square miles."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 4th day of May, 1937.

(494)

No. 283.

AN ACT Providing for the Transfer by the Clerk of Court to the Treasurer of Laurens County of All Funds, Notes, Bonds and Other Assets Officially Belonging to the Sinking Fund Commission of Said County, Designating Said Treasurer as Custodian Thereof, and Providing a Penalty for Violation of the Provisions of This Act.

Section 1. County treasurer custodian of property of sinking fund commission, Laurens County.—Be it enacted by the General Assembly of the State of South Carolina: That the personnel, authority, powers and duties of which the Sinking Fund Commission for Laurens County is now composed, vested and charged shall be and continue as now provided for by law, except that the Treasurer of said County shall hereafter be the custodian of all funds and property officially belonging to said Sinking Fund Commission, and the Clerk of Court of said County shall hereafter be relieved of his duties as such custodian.

§ 2. **Clerk of court transfer such property to county treasurer.**—That the Clerk of Court of Laurens County is hereby authorized and required to forthwith transfer and deliver to the Treasurer of Laurens County all funds, bank accounts, notes, bonds and other assets now in his possession and control as custodian of the said Laurens County Sinking Fund Commission; and the Treasurer of Laurens County is hereby authorized and required to receive and hold the same as custodian of said property for said Sinking Fund Commission.

§ 3. **Penalty.**—The failure or refusal of the Clerk of Court and Treasurer of Laurens County to comply with the provisions of this Act shall be deemed and considered a misconduct in office and punishable accordingly under the law.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 4th day of May, 1937.

(499)

No. 284.

AN ACT to Amend an Act, Entitled "An Act Providing for the Creation of Public Authorities to Engage in Slum Clearance Projects and the Construction and Acquisition of Housing Accommodations for Families of Low Income; for the Renting of Such Housing Accommodations at Reasonable Rentals; for the Elimination of Unsanitary and Congested Housing Conditions; for the Exercise by Public Housing Authorities Created Thereunder of Certain Rights and Powers, Including the Right of Eminent Domain, the Power to Incur Indebtedness; Issue Bonds, Notes or Other Evidences of Indebtedness; to Buy, Sell and Own Real Estate; to Lend Money; for the Defining of the Powers, Rights and Duties of the Housing Authorities and of the State Board of Housing with Reference Thereto, and for the Promotion of Public Health, Safety, Morals and General Welfare", and Known as Act No. 783 of the Acts of 1934, as Amended by Act No. 301 and Act No. 345 of the Acts of 1935, so as to Provide for the Creation of Housing Authorities; for the Security of Bonds of Housing Authorities and the Remedies of Bondholders of Housing Authorities; for the Renting of Dwelling Accommodations Only to Persons of Low Income; for the Exemption of the Property of Housing Authorities from taxation; for the Repeal of the Provisions for Dissolution of Housing Authorities; and for Certain Powers and Duties of Housing Authorities.

Section 1. Act 783, 1934 Acts, amended—additional definitions.—Be it enacted by the General Assembly of the State of South Carolina: That an Act, entitled "An Act Providing for the Creation of Public Authorities to Engage in Slum Clearance Projects and the Construction and Acquisition of Housing Accommodations for Families of Low Income; for the Renting of Such Housing Accommodations at Reasonable Rentals; for the Elimination of Unsanitary and Congested Housing Conditions; for the Exercise by Public Housing Authorities Created Thereunder of Certain Rights and Powers, Including the Right of Eminent Domain, the Power to Incur Indebtedness, Issue Bonds, Notes or Other Evidences of Indebtedness; to Buy, Sell and Own Real Estate; to Lend Money; for the Defining of the Powers, Rights and Duties of the Housing Authorities and of the State Board of Housing with Reference

There to, and for the promotion of Public Health, Safety, Morals and General Welfare", and known as Act No. 783 of the Acts of 1934, as amended by Act No. 301 and Act No. 345 of the Acts of 1935, be amended by adding a new Section to be known as Section 1-A, defining certain terms, the same to read as follows:

"Section 1-A. The following terms, wherever used or referred to in this Act, shall have the following respective meanings, unless a different meaning clearly appears from the context.

(a) "City" shall mean any city or town having population of more than 5,000 (according to the last Federal or State census). "The City" shall mean the particular city or town for which a particular Housing Authority is created.

(b) "Persons of low income" shall mean persons or families who lack the amount of income which is necessary (as determined by the Authority undertaking the project) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

(c) "Obligee of the Authority" or "Obligee" shall include any bondholder, trustee or trustees for any bondholders, or lessor demising to the Authority property used in connection with a project, or any assignee or assignees of such lessor's interest or any part thereof, or the Federal Government when it is a party to any contract with the Authority.

§ 2. Same—creation of housing authority.—That Section 3 of said Act No. 783 of the Acts of 1934, be, and the same is hereby, amended by striking out said Section 3 and inserting in lieu thereof the following, to be known as Section 3:

"Section 3: In each city (as herein defined) of the State there is hereby created a public body corporate and politic to be known as the "Housing Authority of the city; *Provided, However,* that such Authority shall not transact any business or exercise its powers hereunder until or unless the council of the city by proper resolution shall declare at any time hereafter that there is need for an Authority to function in such city. The determination as to whether there is such need for an Authority to function (a) may be made by the council on its own motion or (b) shall be made by the council upon the filing of a petition signed by twenty-five residents of the city asserting that there is need for an Authority to function in such city and requesting that the council so declare.

The council shall adopt a resolution declaring that there is need for a Housing Authority in the city if it shall find (a) that insanitary or unsafe inhabited dwelling accommodations exist in such city or (b) that there is a shortage of safe or sanitary dwelling accommodations in such city available to persons of low income at rentals they can afford. In determining whether dwelling accommodations are unsafe or insanitary said council may take into consideration the degree of overcrowding, the percentage of land coverage, the light, air, space and access available to the inhabitants of such dwelling accommodations, the size and arrangement of the rooms, the sanitary facilities, and the extent to which conditions exist in such buildings which endanger life or property by fire or other causes.

In any suit, action or proceeding involving the validity or enforcement of or relating to any contract of the Authority, the Authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers hereunder upon proof of the adoption of a resolution by the council declaring the need for the Authority. Such resolution or resolutions shall be deemed sufficient if it declares that there is such need for an Authority and finds in substantially the foregoing terms (no further detail being necessary) that either or both of the above enumerated conditions exist in the city. A certificate stating that such resolution or resolutions has been adopted shall be admissible in evidence in any suit, action or proceeding.

When the council of a city adopts resolution as aforesaid, it shall promptly notify the Mayor of such adoption. Upon receiving such notice, the Mayor shall appoint five persons as Commissioners of the Authority created for said city. The Commissioners who are first appointed shall be designated to serve for terms of one, two, three, four and five years, respectively, from the date of their appointment, but thereafter Commissioners shall be appointed as aforesaid for a term of office of five years except that all vacancies shall be filled for the unexpired term. No Commissioner of an Authority may be an officer or employee of the city for which the Authority is created. A Commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any Commissioner shall be filed in the office of the Clerk of the Circuit Court, in the office of the Secretary of State, and in the office of the State Board of Housing, and such certificate shall be conclusive evidence of the due and proper appointment of

such Commissioner. For inefficiency or neglect of duty or misconduct in office, a Commissioner of an Authority may be removed by the Mayor, but a Commissioner shall be removed only after he shall have been given a copy of the charges at least ten (10) days prior to the hearing thereon and had an opportunity to be heard in person or by counsel. In the event of the removal of any Commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the Clerk of the Circuit Court, in the office of the Secretary of State, and in the office of the State Board of Housing. The powers of each Authority shall be vested in the Commissioners thereof in office from time to time.

§ 3. Same—additional powers of housing authority.—That the Act aforesaid be further amended by inserting a new Section, to be known as Section 8-A, conferring additional powers, the same to read as follows:

“Section 8-A. In addition to its other powers, a Housing Authority shall have the power (notwithstanding anything to the contrary contained in this Act or in any other provision of law):

(a) to include in any contract let in connection with a project, stipulations requiring that the contractor and any subcontractors comply with the requirements as to minimum wages and maximum hours of labor, and comply with any conditions which the Federal Government may have attached to its financial aid of the project.

(b) To procure or agree to the procurement of insurance or guarantees from the Federal Government of the payment of any debts or parts thereof incurred by said authority, and to pay premium on any such insurance.

§ 4. Same—operation for profit.—That the Act aforesaid be further amended by inserting a new Section to be known as Section 8-B, concerning operation for profit, the same to read as follows:

“Section 8-B: It is hereby declared to be the policy of this State that each Housing Authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals for dwelling accommodations at the lowest possible rates consistent with its providing decent, safe and sanitary dwelling accommodations, and that no Housing Authority shall construct or operate any such project for profit, or as a source of revenue to the city. To this end an Authority shall fix the rentals for dwellings in its projects at no higher rate than it shall find to be necessary in order to produce

revenues which (together with all other available moneys, revenues, income and receipts of the Authority from whatever sources derived) will be sufficient (a) to pay, as the same become due, the principal and interest on the bonds of the Authority; (b) to meet the cost of, and to provide for, maintaining and operating the projects (including the cost of any insurance) and the administrative expenses of the Authority; and (c) to create (during not less than the six years immediately succeeding its issuance of any bonds) a reserve sufficient to meet the largest principal and interest payments which will be due on such bonds in any one year thereafter and to maintain such reserve.

§ 5. Same—rentals and tenant selections.—That the Act aforesaid be further amended by inserting a new Section to be known as Section 8-C, concerning rentals and tenant selections, the same to read as follows:

“Section 8-C. In the operation or management of housing projects an Authority shall at all times observe the following duties with respect to rentals and tenant selection: (a) It may rent or lease the dwelling accommodations therein only to persons of low income. (b) It may rent or lease the dwelling accommodations therein only at rentals within the financial reach of such persons of low income. (c) It may rent or lease to a tenant dwelling accommodations consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding. (d) It shall not accept any person as a tenant in any housing project if the person or persons who would occupy the dwelling accommodations have an aggregate annual income in excess of five times the annual rental of the quarters to be furnished such person or persons; in computing the rental for this purpose of selecting tenants, there shall be included in the rental the average annual cost (as determined by the Authority) to the occupants, of heat, water, electricity, gas, cooking range and other necessary services or facilities, whether or not the charge for such services and facilities is in fact included in the rental.

Nothing contained in this Housing Authorities Law, as amended, shall be construed as limiting the power of an Authority to vest in an obligee the right, in the event of a default by the Authority, to take possession of a housing project or cause the appointment of a receiver thereof or acquire title thereto through foreclosure pro-

ceedings, free from all the restrictions imposed by this or other sections of this Act.

§ 6. Same—indebtedness.—That Section 11 of the Act aforesaid be and the same is hereby amended by striking out said Section 11 and inserting in lieu thereof the following to be known as Section 11:

“Section 11. An Authority shall have power to issue bonds from time to time in its discretion, for any of its corporate purposes. An Authority shall also have power to issue refunding bonds for the purpose of paying or retiring bonds previously issued by it. An Authority may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable; (a) exclusively from the income and revenues of the housing project financed with the proceeds of such bonds, or with such proceeds together with a grant from the Federal Government in aid of such project; (b) exclusively from the income and revenues of certain designated housing projects whether or not they were financed in whole or in part with the proceeds of such bonds; or (c) from its revenues generally. Any of such bonds may be additionally secured by a pledge of any revenue or a mortgage of any housing project, projects or other property of the Authority.

Neither the Commissioners of an Authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of an Authority (and such bonds and obligations shall so state on their face) shall not be a debt of the city, the county, the state or any political division or subdivision thereof and neither the city or the county, nor the State or any political division or subdivision thereof shall be liable thereon, nor in any event shall such bonds or obligations be payable out of any funds or properties other than those of said Authority. The bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction”.

§ 7. Same—form and sale of bonds.—That the Act aforesaid be further amended by inserting a new Section, to be known as Section 11-A, concerning the form and sale of bonds, the same to read as follows:

“Section 11-A. Bonds of an Authority shall be authorized by its resolution and may be issued in one or more series and shall bear such date or dates, mature at such time or times, bear interest at

such rate or rates, not exceeding six per centum (6%) per annum, be in such denomination or denominations, be in such form, either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium or payment, at such place or places, and be subject to such terms of redemption (with or without premium) as such resolution, its trust indenture or mortgage may provide.

The bonds may be sold at not less than par at public sale held after notice published once at least five days prior to such sale in a newspaper having a general circulation in the city and in a financial newspaper published in the City of Charleston, South Carolina, or in the City of New York, New York, *Provided, However*, that such bonds may be sold at not less than par to the Federal Government at private sale without any public advertisement.

In case any of the Commissioners or officers of the Authority whose signatures appear on any bonds or coupons shall cease to be such Commissioners or officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such Commissioners or officers had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this Act shall be fully negotiable.

In any suit, action or proceedings involving the validity or enforceability of any bond of an Authority or the security therefor, any such bond reciting in substance that it has been issued by the Authority to aid in financing a housing project to provide dwelling accommodations for persons of low income shall be conclusively deemed to have been issued for a housing project of such character and said project shall be conclusively deemed to have been planned, located and constructed in accordance with the purposes and provisions of this Act".

§ 8. Same—provisions of bonds, trust indentures and mortgages.—That the Act aforesaid be further amended by inserting a new Section, to be known as Section 11-B, concerning the provisions of bonds, trust indentures and mortgages, the same to read as follows:

"Section 11-B. In connection with the issuance of bonds or the incurring of obligations under leases and in order to secure the payment of such bonds or obligations, an Authority, in addition to its other powers, shall have power:

(a) To pledge all or any part of its gross or net rents, fees or revenues to which its right then exists or may thereafter come into existence.

(b) To mortgage all or any part of its real or personal property, then owned or thereafter acquired.

(c) To covenant against pledging all or any part of its rents, fees and revenues, or against mortgaging all or any part of its real or personal property, to which its right or title then exists or may thereafter come into existence or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on its right to sell, lease or otherwise dispose of any housing project or any part thereof; and to covenant as to what other, or additional debts or obligations may be incurred by it.

(d) To covenant as to the bonds to be issued and as to the issuance of such bonds in escrow or otherwise, and as to the use and disposition of the proceeds thereof; to provide for the replacement of lost, destroyed or mutilated bonds; to covenant against extending the time for the payment of its bonds or interest thereon; and to redeem the bonds, and to covenant for their redemption and to provide the terms and conditions thereof.

(e) To covenant (subject to the limitations contained in this Act) as to the rents and fees to be charged in the operation of a housing project or projects, the amount to be raised each year or other period of time by rents, fees and other revenues, and as to the use and disposition to be made thereof; to create or to authorize the creation of special funds for moneys held for construction or operating costs, debt service, reserves, or other purposes, and to covenant as to the use and disposition of the moneys held in such funds.

(f) To prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given.

(g) To covenant as to the use of any or all of its real or personal property; and to covenant as to the maintenance of its real and personal property, the replacement thereof, the insurance to be carried thereon and the use and disposition of insurance moneys.

(h) To covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition, or obligation; and to covenant and prescribe as to events of default and terms and

conditions upon which any or all of its bonds or obligations shall become or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.

(i) To vest in a trustee or trustees or the holders of bonds or any proportion of them the right to enforce the payment of the bonds or any covenants securing or relating to the bonds; to vest in a trustee or trustees the right, in the event of a default by said Authority, to take possession and use, operate and manage any housing project or part thereof, and to collect the rents and revenues arising therefrom and to dispose of such moneys in accordance with the agreement of the Authority with said trustee; to provide for the powers and duties of a trustee or trustees and to limit the liabilities thereof; and to provide the terms and conditions upon which the trustee or trustees or the holders of bonds or any proportion of them may enforce any covenant or rights securing or relating to the bonds.

(j) To exercise all or any part or combination of the powers herein granted; to make covenants other than and in addition to the covenants herein expressly authorized, of like or different character; to make such covenants and to do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds, or, in the absolute discretion of said Authority, as will tend to make the bonds more marketable notwithstanding that such covenants, acts or things may not be enumerated herein”.

§ 9. Same—remedies of obligee of housing authority.—That the Act aforesaid be further amended by inserting a new Section, to be known as Section 11-C, concerning the remedies of an obligee of a housing authority, the same to read as follows:

“Section 11-C: An obligee of an Authority shall have the right in addition to all other rights which may be conferred on such obligee, subject only to any contractual restrictions binding upon such obligee:

(a) By mandamus, suit, action or proceeding at law or in equity to compel said Authority and the Commissioners, officers, agents or employees thereof to perform each and every term, provision and covenant contained in any contract of said Authority with or for the benefit of such obligee, and to require the carrying out of any or all such covenants and agreements of said Authority and the fulfillment of all duties imposed upon said Authority by this Act.

(b) By suit, action or proceeding in equity, to enjoin any acts or things which may be unlawful, or the violation of any of the rights of such obligee of said Authority."

§ 10. Same—additional remedies conferable by housing authority.—That the Act aforesaid be further amended by inserting a new Section, to be known as Section 11-D, concerning additional remedies conferable by a housing authority, the same to read as follows:

"Section 11-D. An Authority shall have power by its resolution, trust indenture, mortgage, lease or other contract to confer upon any obligee holding or representing a specified amount in bonds, or holding a lease, the right (in addition to all rights that may otherwise be conferred), upon the happening of an event of default as defined in such resolution or instrument, by suit, action or proceeding in any court of competent jurisdiction:

(a) To cause possession of any housing project or any part thereof to be surrendered to any such obligee.

(b) To obtain the appointment of a receiver of any housing project of said Authority or any part thereof and of the rents and profits therefrom. If such receiver be appointed, he may enter and take possession of such housing project or any part thereof and operate and maintain same, and collect and receive all fees, rents, revenues, or other charges thereafter arising therefrom, and shall keep such moneys in a separate account or accounts and apply the same in accordance with the obligations of said Authority as the court shall direct.

(c) To require said Authority and the Commissioners thereof to account as if it and they were the trustees of an express trust".

§ 11. Same—tax exemption and payments in lieu of taxes.—That the Act aforesaid be further amended by inserting a new Section to be known as Section 11-E, providing for tax exemption and payments in lieu of taxes, the same to read as follows:

"Section 11-E. The property of an Authority is declared to be public property used for essential public and governmental purposes and such property of an Authority shall be exempt from all taxes and special assessments of the city, the county, the State or any political subdivision thereof; *Provided, However,* that in lieu of such taxes or special assessments, an Authority may agree to make payments to the city or the county or any such political subdivision for

improvements, services and facilities furnished by such city, county, or political subdivision for the benefit of a housing project, but in no event shall such payments exceed the estimated cost to such city, county, or political subdivision of the improvements, services or facilities to be so furnished."

§ 12. Same—§§ 13 and 16 repealed—working capital and relations with the city—dissolution.—Sections 13 and 16 of the Act aforesaid be, and the same are hereby, repealed.

§ 13. Invalidity.—Notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

§ 14. Effect on other laws.—In so far as the provisions of this Act are inconsistent with the provisions of any other law, the provisions of this Act shall be controlling.

§ 15. Time effective.—This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(500)

No. 285.

AN ACT to Create a Board of Naturopathic Examiners and to Regulate the Practice of Naturopathy and to Provide Penalties for Violation of This Act, and Prohibit the Practice of Any Other Mode or System Under the Name of Naturopathy.

Section 1. Board of naturopathic examiners—appointment—term—meetings.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby created a Board of Naturopathic Examiners to be known as the South Carolina Board of Examiners. Within thirty (30) days after this Act becomes a law, the South Carolina Naturopathic Association shall recommend to the Governor, who shall appoint four (4) members, who shall be members of the South Carolina Naturopathic Association, and whose term of office shall be for a period of four (4) years. The appointees shall meet within ten (10) days after their appointment and organize by electing a President, Secretary and Treasurer, and adopting rea-

sonable rules and regulations for the transaction of business and shall meet in June and November of each year.

§ 2. **License—issuance.**—Any person of good moral character who has been continuously engaged in the practice of Naturopathy in the State of South Carolina for one (1) year prior to passage of this Act, but must be a graduate of a reputable school of Naturopathy, shall be licensed without an examination, upon payment of ten (\$10.00) dollars, if he applies for a license within twenty (20) days after the organization of the Board, but hereafter all applicants must be graduates of a reputable college or school of Naturopathy and must stand examination before this Board.

§ 3. **License—duties of applicant—examinations.**—All applicants must file with the Secretary of the Board, fifteen (15) days prior to its regular meeting time, proper credentials and a fee of ten (\$10.00) dollars. In case the applicant fails in the first examination, he shall be entitled to a second examination at the next regular meeting of the Board.

§ 4. **Non-residents.**—Any person of good moral character licensed by a Naturopathic Board of any other state whose requirements are commensurate with the requirements of this Board, upon the payment of twenty (\$20.00) dollars shall be granted a license to practice in this State.

§ 5. **Revoke license.**—Any practitioner who is found to no longer possess a good moral character may, in the discretion of the Board, have his license revoked.

§ 6. **Naturopathy defined.**—Naturopathy is hereby defined to mean the use and practice of psychological, mechanical and material health sciences to aid in purifying, cleaning and normalizing human tissues for preservation or restoration of health according to the fundamental principles of anatomy, physiology and applied psychology, as may be required. Naturopathic practice employs among other agencies, heat, light, water, electricity, psychology, diet, massage and other manipulative methods. These agencies are known as psychotherapy, suggesto-therapy, hydro-therapy, electro-therapy, mechano-therapy, biochemistry, external appliances, mechanical and electrical appliances, hygiene, first aid, sanitation, helio-therapy and dietetics. *Provided, However,* That nothing in this chapter shall be held or construed to authorize any naturopathic physician licensed hereunder to practice materia medica or surgery, or shall the provisions of this chapter in any manner apply to or affect the practices of osteopathy,

chiropractic, christian science or any other treatment authorized or provided for by law for the cure and prevention of diseases and ailments.

§ 7. **Penalty.**—Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and punishable in the discretion of the Court.

§ 8. **Pay certain funds to public school fund.**—If at the close of any fiscal year there remains in the hands of the Board more than five hundred (\$500.00) dollars over and above all indebtedness, the same shall be turned over to the public school fund.

§ 9. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 10. This Act shall take effect upon its approval by the Governor.
Approved the 10th day of May, 1937.

(501)

No. 286.

AN ACT to Provide a Forfeited Land Commission for Marlboro County and Prescribe Its Duties.

Section 1. Forfeited land commission, Marlboro County—appointment—term—vacancy.—Be it enacted by the General Assembly of the State of South Carolina: That in Marlboro County the Forfeited Land Commission shall be composed of three (3) members, residents of Marlboro County, who shall be appointed by the Governor upon the recommendation of the Legislative Delegation of said County, or a majority of the members thereof. The terms of office of the initial members of said Commission shall be until January 1, 1939, and the terms of office of their successors shall be for a period of two (2) years; in both instances their successors shall have been appointed and qualified. All vacancies in the membership of said Commission shall be filled as provided for initial appointments, and all members so appointed shall hold office for the unexpired term of their predecessors.

§ 2. **Possess forfeited lands.**—The said Land Commissioners of Marlboro County shall by November 1, 1937, take possession, in the name and in behalf of, the Forfeited Land Commission of said County, of all the lands in the County heretofore forfeited for non-payment of taxes, and shall henceforth take possession of all forfeited lands as and when deeds therefor are made to the Land Commission.

§ 3. Rent lands—sell timber—insure buildings.—The said Board of Commissioners shall lease or rent the said lands to the best advantage possible and upon such terms as it may deem advisable and may in its discretion use timber therefrom for county purposes or sell the same, but it shall in all cases do whatever is necessary to prevent trespass upon or damage to said lands; and it may procure fire insurance policies payable to the County upon any buildings upon said lands which it may deem advisable to so insure and in such amounts as it may decide upon.

§ 4. Agent.—To assist in the duties hereupon imposed said Board may employ an agent for such period of time, and for full or part time and upon such basis and amount of compensation as it may deem advisable or it may use any other employees of the County to assist it, but such compensation shall be paid from the income from the rents or sales of such forfeited lands except that it may use general county funds where such use is in its opinion absolutely necessary and may reasonably be expected to be replaced by income to be later derived from said lands.

§ 5. Agent give bond.—The Board shall require any such agent so employed by it, before he enters upon his duties, to give bond to the county, with corporate surety and in such amount as may be required by the Board, conditioned for the faithful performance of his duties and the accounting of all funds coming into his hands. Such bond shall also protect all interests of the State and any political sub-division interested.

§ 6. Sell lands—use of income.—The Board shall undertake to dispose of all such forfeited lands by sale for cash or upon credit terms as may be desirable, but no deed shall be delivered until the consideration is paid in full in cash. The income derived from rents, timber sales and otherwise, except from sales of the lands, shall be paid to the County Treasurer for credit to the ordinary funds of said county monthly upon itemized accounts, less any expenses incurred and paid out in the administration of this section; all of which expenditures shall be properly vouched, and a full record thereof preserved in the office of the county supervisor.

§ 7. Use of proceeds from land sales.—The proceeds of the sales of any forfeited lands shall be applied by said Board and the forfeited land commission of said county as now provided by law; and the said commission shall cooperate with the Board in the per-

formance of the duties required by this Section and shall execute all deeds and other instruments made necessary hereby.

§ 8. **Attorneys.**—The Board is hereby authorized to employ attorneys to perform any services and bring in the name of the county any action at law or otherwise which it may deem necessary or advisable to carry out all of the provisions of this section and may pay therefor from the income derived from forfeited lands.

§ 9. **Take inventory of forfeited lands—advertise.**—The Board shall, as soon as practicable after the passage of this section, complete an inventory of all forfeited lands in the county which shall be kept current and open to inspection in the office of the supervisor; and it may advertise them for sale or rent, and may do all other things with respect thereto which it deems to the best interest of said county and which are not inconsistent with the terms hereof.

§ 10. **Report annually.**—The Board shall make a complete report to the County Delegation in the General Assembly annually hereafter not later than January 15th, which report shall include an inventory of the forfeited lands, whether occupied and the income derived therefrom during the preceding year, the result of all sales made and the expenses paid hereunder during such preceding year; and the report shall also include any recommendations with respect to said forfeited lands and the handling thereof which said Board may desire to make.

§ 11. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 12. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(502)

No. 287.

AN ACT Creating Boards of Highway Beautification in Charleston, Dorchester and Berkeley Counties; to Provide for the Terms of Office and Appointment of the Members Thereof; and to Prescribe Their Duties.

Section 1. Boards of highway beautification, Berkeley, Charleston and Dorchester Counties.—Be it enacted by the General Assembly of the State of South Carolina: That there is hereby created, in the Counties of Charleston, Dorchester and Berkeley, County Boards of Highway Beautification to be known as follows:

In the County of Charleston 'The Charleston County Board of Highway Beautification', in the County of Dorchester 'The Dorchester County Board of Highway Beautification', and in the County of Berkeley 'The Berkeley County Board of Highway Bautification.'

§ 2. The Charleston County board of highway beautification.

—That said Board in Charleston County shall consist of five (5) members chosen as follows, to wit: one (1) member shall be the Chairman of the Sanitary and Drainage Commission of Charleston County ex-officio, two (2) members shall be elected by the Charleston County Legislative Delegation; and two (2) members shall be elected by the City Council of Charleston. The elected members shall hold office for two (2) year terms and until their successors are elected. Upon the election of such members, the Governor shall forthwith commission them, pending the issuance of their commission and they shall have and perform all the powers and duties of members of said Board. In the event of any vacancy, however caused, the successor shall be chosen in the manner of the original selection.

§ 3. The Dorchester County board of highway beautification.

—That the said Board in Dorchester County shall consist of three (3) members to be appointed by the Governor upon recommendation of a majority of the members of the Legislative Delegation in the General Assembly of South Carolina from Dorchester County. Their terms of office shall be for a period of two (2) years and until their successors have been appointed and qualified. Any vacancies that may from time to time exist upon said Board shall be filled for the unexpired term by appointment by the Governor upon the recommendation of the majority of the Legislative Delegation of said County.

§ 4. The Berkeley County board of highway beautification.—

That the said Board in Berkeley County shall consist of three (3) members to be appointed by the Governor upon recommendation of a majority of the members of the Legislative Delegation in the General Assembly of South Carolina from Berkeley County. The terms of office shall be for a period of two (2) years and until their successors have been appointed and qualified. Any vacancies that may from time to time exist upon said Board shall be filled for the unexpired term by appointment by the Governor upon the recommendation of the majority of the Legislative Delegation of said County.

§ 5. Duties and powers.—That each of the said Boards is hereby authorized and charged with the duty of making a survey of the

State and County roads and highways in its respective County, with a view to the beautification of the same, and shall on or before the first day of January of each year, file with its respective Legislative Delegation its recommendations as to the conditions of the roads and highways in its respective County from the standpoint of beautification and as to appropriate legislation needed to facilitate carrying out a program to the end that said roads and highways will be made more attractive to the traveling public. Each of said Boards is particularly authorized and empowered to inquire into the enforcement of Sections 1649 and 1650 of the Code of Laws of South Carolina, 1932, in its respective County, and to take proper measures to procure the enforcement thereof.

§ 6. **Cumulative.**—The provisions of this Act shall be in addition to all existing laws of this State in reference to the subject herein covered as to said Counties.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.
Approved the 10th day of May, 1937.

(503)

No. 288.

AN ACT to Repeal Act No. 69, of the General Assembly of South Carolina, 1933, Entitled "An Act to Amend Section 5474, Volume Two Code of Laws of South Carolina, 1932, Relating to Transportation of Pupils to and From Public Schools, so as to Authorize Local Trustees in Lexington County to Designate Official Routes and to Participate in Letting Contracts for the Transportation of Pupils, and to Further Regulate the Terms of Such Contracts", Approved February 17, 1933, Relating to Transportation of Pupils to and From Public Schools in Lexington County.

Section 1. Act 69, 1933 Acts, repealed—transportation of school children, Lexington County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 69, of the General Assembly of South Carolina, 1933, entitled "An Act to Amend Section 5474, Volume Two Code of Laws of South Carolina, 1932, Relating to Transportation of Pupils to and from Public Schools, So as to Authorize Local Trustees in Lexington County to Designate Official Routes and to Participate in Letting Contracts

for the Transportation of Pupils, and to Further Regulate the terms of such Contracts.”, approved February 17, 1933, relating to the transportation of pupils to and from public schools in Lexington County, be, and the same is hereby repealed.

§ 2. This Act to take effect immediately upon its approval by the Governor.

Approved the 10th day of May, 1937.

(504)

No. 289.

AN ACT to Provide for the Appointment of a School Board Authority of Jasper County, and to Provide for the Payment of Certain Obligations of the Respective School Districts of That County, and to Authorize the Said Authority to Borrow Money for School Purposes and to Provide for the Payment Thereof.

Section 1. School board authority of Jasper County—appointment—vacancy—terms.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby created for Jasper County a Board, to be known as the School Board Authority of Jasper County. The Authority shall be composed of five (5) members, who shall be appointed by the Governor upon the recommendation of the entire Legislative Delegation from that County. Any vacancy occurring in the membership of the Authority shall be filled as provided for the regular terms. The regular terms of office of the members of the Authority shall be for six (6) years and until their successors have been appointed and qualified. The initial term of one of the first appointees under this Act shall be for two years and that of two (2) of such members shall be for a period of four (4) years and until their respective successors have been appointed and qualified. The respective length of their first terms shall be determined by the Delegation in its recommendation to the Governor, whose duty it shall be to appoint for such length of term as provided for in the recommendation. The Board shall select one of its members as Chairman, and one as Secretary. The Chairman shall fix the time and place of meetings of the Board, preside thereat and, in general, perform the duties customarily performed by Chairmen of Boards or Committees in this State, and the Secretary shall keep a record of all proceedings of the Board and perform such duties as may be imposed upon him by the Board.

No Act or Resolution of the Board shall be binding unless adopted at a duly called meeting of the members thereof, by a majority of those present, and unless such majority constitute more than one-half of the entire membership of the Board.

§ 2. Levy county tax pay debts of school districts.—In order to provide an equitable distribution of the existing bonded indebtedness, and any indebtedness now due and owing by the respective School Districts in Jasper County, for buildings or school equipment, and to provide for the payment of all such obligations and the interest thereon, there is hereby levied annually upon all of the taxable property in Jasper County, a tax sufficient to pay all such existing indebtedness, whether evidenced by bonds or notes, or otherwise, as such obligations and interest respectively mature.

§ 3. Tax—amount—collection—use—in lieu of special levies.—The amount of such annual tax levy shall be fixed by the said School Board Authority of Jasper County and shall be furnished annually to the County Auditor and the County Treasurer of Jasper County, and it is hereby made the duty of the Auditor to levy, and the Treasurer to collect, such tax, as other taxes are collected by law. The proceeds of the tax shall be applied by the Treasurer to the payment of such obligations. The County-wide levy hereinabove provided for, shall take the place of the special levies on the respective School Districts for meeting the District indebtedness; but noting in this Act is intended, or shall be construed, to impair the validity of any such outstanding obligations and, should the portion of this Act providing for a different levy of taxes and method of payment of any such indebtedness, be declared invalid for any reason, then all of the original levies provided for shall be revived; and it is further provided that all such original or special levies shall continue until the Said Board shall notify the Auditor of the substituted tax levy as provided for herein.

§ 4. Buildings—repairs—equipment.—In the event that any Board of School Trustees of any School District in the County desires to obtain funds for buildings, or additions, to or repairs to any existing building, or for equipment for school purposes, the Trustees shall make application therefor to the School Board Authority of Jasper County, in which application shall be stated the specific purposes for which the funds are desired, the estimated cost thereof, the number of pupils to be served, the existing indebtedness of such District now being borne by the County at large, to

gether with the apparent exigency of the need. It shall, thereupon, become the duty of the said Authority to make an investigation into the merits of such application, and to take such action thereon as seems to it to be just and proper under all of the circumstances, keeping in mind the purpose to be served, the exigency of the need and the ability of the taxpayers of the County to pay. The Authority is empowered to reject the application, or to approve the same, in whole, or in part, and on such conditions as its judgment may dictate. In the event that such application is approved, the approval shall state the amount at which it is approved, as well as the purpose, or purposes, for which the funds are to be expended. The said Authority is authorized and empowered to apply, in the name of the County, to the Federal Government, or any agency thereof, for a grant for funds for such purpose, or purposes, and, if obtained, to use the same in conjunction with funds otherwise obtained under the terms of this Act, and it is also authorized and empowered to make application for, and to borrow, from the Federal Government, or any agency thereof, or from any other available source, the whole amount for which the application has been approved, or such sums as may be found necessary, after taking into consideration any grant obtained for any such purpose. In making application, or obtaining any such grant or loan, the said Authority is authorized and empowered to combine into one application or loan, the needs and funds to be borrowed for two or more School Districts. Any sums hereafter borrowed pursuant to the provisions of this Act shall be evidenced by bonds or notes of the County, executed by the Authority, and shall bear a rate of interest not exceeding six (6%) percent per annum, payable annually, and have such maturities as to principal and interest as shall be fixed by the Authority: *Provided*, That no such obligation shall mature earlier than two (2) years from date of issue, and later than twenty (20) years from the date of the passage of this Act. Within the limitations provided for herein, the Authority shall, in fixing the maturities of new obligations issued hereunder keep in mind the maturities of existing indebtedness for school purposes so that as much uniformity shall exist in respect to the annual tax levy for school purposes as practicable. With respect to the issue and sale of the bonds or notes under the provisions hereof, full power and authority is devolved upon the said Authority to do any and all things ordinarily incident to the issue and sale of County Bonds, and their decision with respect to any such detail shall be valid and binding on the County. In the event that any limi-

tation herein provided for is found to be inconsistent with the terms of any loan or grant from the Federal Government, or any agency thereof, then such limitation in respect to any such inconsistency is hereby declared null and void, and the said Authority is empowered to comply with the offer of terms of such loan or grant.

The said Authority is empowered to adopt a seal, which may be affixed to, or impressed upon any obligation issued pursuant to the terms of this Act. The delivery of any such obligation, bond or note, or other evidence of indebtedness, shall be valid, notwithstanding any change in officials or, if a seal be adopted, any change in seal occurring after the execution of any such obligation. All such obligations shall be sold for not less than par and accrued interest. In its discretion, the Authority may sell such obligation at private sale or upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale. In case it elects to sell upon sealed proposals, after publication of notice, the award shall be made to the highest bidder, but the Authority shall have the right to reject all bids and readvertise for sale any such issue, or sell the same at private sale, adopting such course as in its judgment will be most advantageous to the County.

In case of the issue of coupon bonds, the coupons may be signed by the Chairman of the Authority, or his facsimile signature may be impressed or lithographed upon such coupons.

§ 5. New obligations—payment—exempt from taxes.—In order to provide funds for the payment of any new obligations issued under the terms of this Act, the County Auditor of Jasper County is authorized and directed to levy annually, and the Treasurer to collect, a tax on all the taxable property in Jasper County sufficient to pay the principal and interest respectively maturing on the obligations issued pursuant to the provisions herein, and it is made the duty of the said Authority to notify the Auditor and the Treasurer of Jasper County annually of the amount of the tax levy required to meet such obligations and it is made the duty of these officers respectively to levy and collect such tax as provided by law for the levying and collection of other taxes. All obligations issued under the terms of this Act shall be exempt from State, County, School and Municipal taxes.

§ 6. Invalidity.—If any provision of this Act is declared invalid for any reason, such invalidity shall affect only the portion thereof immediately involved, and the remainder of the said Act shall not be impaired.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.
Approved the 10th day of May, 1937.

(506)

No. 290.

AN ACT to Amend Section 56, Vol. I, Code of Laws of South Carolina, 1932, as Amended by Act 172 of the Acts of 1935, Approved April 20, 1935, so as to Provide for the Terms of Court in York County; and to Provide for the Appointment of Auctioneers for Legal Public Sales, and for a Stenographer in Cases Before the Clerk of Court or Special Referee.

Section 1. § 56, 1932 Code, amended—terms of court, York County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 56, Vol. I, Code of Laws of South Carolina, 1932, as amended by Act 172 of the Acts of 1935, approved April 20, 1935, be, and the same is hereby amended by striking out all of sub-section 4 thereof relating to York County and inserting in lieu thereof the following: to wit: "The Court of General Sessions at York, for the County of York, on the 4th Monday in January and on the third Monday after the fourth Monday in March, on the second Monday in July, the second Monday in September and on the fourth Monday after the fourth Monday in October; and the Court of Common Pleas at the same place on the Wednesday first following the Mondays fixed for the holding of the Court of General Sessions at the same place; on the first Monday in May and continuing for a term of two weeks; except there shall be no term of the Court of Common Pleas to follow the Court of General Sessions which is provided for on the fourth Monday in January: *Provided*, That the Court of Common Pleas, where following the Court of General Sessions at the same term of the Circuit for said County, may be opened immediately after the adjournment of such Court of General Sessions, if the work of the latter be concluded in less than two days. *Provided, Further*, That nothing herein contained shall be held to limit the Court of General Sessions to two days, if the work of the Court is not concluded in such time: *Provided, Further*, That where the Court of Common Pleas follows the Court of General Sessions at the same term of the Court for said

County, Calendar one of the Court of Common Pleas shall not be called peremptorily until the Mondays following the Mondays fixed for holding the Court of General Sessions at said place, but this latter provision shall not apply to the summer term: *Provided, Further*, That jury trials of civil cases shall not be had at the January term: and *Provided, Further*, That only one venire of jurors shall be drawn for the February term, the jurors for said term to be summoned to attend on the Monday first following the convening of the Court, for services during that week of the said term"

§ 1-A. **Court auctioneers—stenographers.**—That the Clerk of the Court for York County is authorized to appoint one or more official court auctioneers for York County to cry legal public sales. The said auctioneer for York County shall receive as a fee for his service \$3.00 for each such sale, whether the sale is made as a whole or in parcels, which auctioneer's fee shall be taxed as a part of the court costs and expenses. The Clerk of Court or Special Referee in each case in York County in which he presides shall appoint an official stenographer who shall be paid a minimum of \$5.00 for each reference taken and transcribing testimony which stenographer's fees shall be taxed and paid as a part of the court costs in such case.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act sha'l take effect on May 1, 1937.

Approved the 10th day of May, 1937.

(507)

No. 291.

AN ACT to Provide for the Formation and the Management of a County Forest Fire Control Organization and Providing for the Systematic Care and Management of Forests and Wild Land Areas in Greenville County, in South Carolina; for the Protection of Forest Lands; to Promote Reforestation on Denuded and Understocked and Sub-Marginal Areas Within the County; Defining Forests and Forest Fires; and Providing for the Financing Thereof.

Section 1. Short title.—Be it enacted by the General Assembly of the State of South Carolina: That this Act shall be cited as the "Greenville County Forest Fire Control Organization Act."

§ 2. **Declaration of Greenville County legislative delegation.**—The Delegation of Greenville County, State of South Carolina,

recognizing the fact that the forest lands of Greenville County are a natural resource of great economic value to its citizens and the County as a whole, and that the recent establishment in South Carolina of the pulp and paper industry has materially increased the value of this natural resource, and that it is of utmost importance to Greenville County to preserve its forest land for continuous production of forest products, and that this cannot be accomplished without organized protection against forest fires, does hereby declare the protection against fire and the preservation of the forests of Greenville County, as herein defined, essential for the economic welfare of the whole county and its people.

§ 3. Forest fire control organization district.—That, for the purpose of providing for the protection of forest lands, to promote reforestation on denuded and under-stocked and sub-marginal areas, and to aid in the enforcement of all laws pertaining to forests and other lands, Greenville County, for the purpose of this Act, is under the provision hereof, created a Forest Fire Control Organization District.

§ 4. Fire prevention and control work.—All fire prevention and control work in this Forest Fire Control Organization District, created by this Act, shall be under the direction of the South Carolina Commission of Forestry and the State Forester, subject to the provisions of this Act and the laws of the State and Federal Government now, or hereafter, enacted, relative to forestry and forest fire prevention and control.

§ 5. "Forest land" defined.—For the purpose of this Act, all lands within said fire District shall be construed "Forest Land" which have enough forest growth, standing or down, or have sufficient inflammable debris or grass outside of corporate limits to constitute, in the judgment of the South Carolina Commission of Forestry, a fire menace to itself or adjoining lands.

§ 6. "Forest fire" defined.—The term "Forest Fire", as used in this Act, means any fire burning uncontrolled on any land covered wholly or in part by timber, brush, grass or other inflammable vegetation.

§ 7. County tax to defray expenses—amount—disbursement.—The Auditor of Greenville County is hereby directed annually to levy a sufficient tax upon all taxable property of Greenville County, annually to raise not less than Three Thousand Dollars for the

purpose of defraying the expenses incident to the forest fire control herein provided, and the Treasurer of Greenville County, shall on the first day of July annually, commencing July 1, 1937, pay over to the State Commission of Forestry said sum of Three Thousand Dollars, to be used by said Forestry Commission, as herein provided, and the voucher, check or other method of payment made by said Treasurer shall be complete discharge of the said Treasurer hereunder.

§ 8. Board—appointment—term.—There shall be set up a board, to be known as the Greenville County Forestry Board, consisting of seven (7) members of which one shall be the State Forester (or his representative—a member of the State Forest Service), with full voting power; one shall be a member of the County Delegation. The five remaining members shall be so elected by the County Delegation that one shall be a business man, one shall be a landowning farmer, and three shall be from the County at large. All elections of members of said board by the Greenville County Delegation shall be by a vote of a majority of the House members and the Senator of said delegation. The members elected to the Board shall serve continuously or until the dissolution of this Forest Fire Control Organization District. Vacancies occurring in the membership of said Board, due to resignation or any other reason, shall be filled by election by the Greenville County Legislative Delegation upon nomination by majority vote of the remaining members of the Greenville County Forestry Board at the First meeting following the occurrence of such vacancy, *Provided, However,* That such nominations shall in accordance with the representation specified in this Act. All members of the said Board shall serve without compensation.

§ 9. Duties of board—meetings—wardens, patrolmen and towermen.—The duties of the Board shall be to serve in an advisory and executive capacity for the performance of the provisions of this Act. They shall hold at least two meetings in each year, one during the month of October and one during the month of February. They shall modify and/or approve the Forest Fire Control plan set up for the organization area by the State Commission of Forestry. They shall modify and/or approve the budget set up for the carrying on of the fire control plan. They shall appoint the necessary wardens, patrolmen and towerman, subject to the approval of the State Commission of Forestry. They shall further define the forest land area of the county in accordance with acreage, as described in Section 5.

§ 10. Forest fire wardens—duties and powers.—Each Forest Fire Warden shall have the power, and his duties shall be, (a) to act as the field representative of the State Forester, (b) to prepare and forward to the State Forester, through the proper channels, such data in his District as may be required by the State Forester, (c) to report to the State Forester conditions existing within his district which are, or may become, forest fire hazards, and to perform such other acts and duties as may be necessary in the opinion of the State Forester to conform with the purposes of this Act.

§ 11. State commission of forestry and state forester—duties and powers.—The State Commission of Forestry and the State Forester shall compile for the October meeting of the Forestry Board in each year a fire control plan for the Fire Control organization Area and a budget itemizing the expenditures to be made during the year following. It shall, following the approval of that fire plan and budget, be the governing body of all fire control activities within the Fire Control organization area and shall have power to make and enforce all rules and regulations necessary for the administration and government of the area from the standpoint of forest fire prevention and control service, to recommend personnel to be employed as fire wardens, and to be the authorized agent of the Forestry Board to administer the acts of said Board under the authority granted by this Act. The State Forester and his agents, or members of the State Commission of Forestry, or of the Forest Fire Organization area, shall have the right at any or all times to go upon any land within the area for the purpose of fighting or controlling forest fires, as defined herein, without making himself liable for trespassing.

§ 12. Property acquired—title.—The title to all property, which may, through the cooperative forest fire control funds, be acquired for the carrying on of this County Forest Fire Control Organization area, created under the provisions of this Act, shall be vested in the State Commission of Forestry. *Provided, However,* if the State Commission of Forestry withdraws aid from said District, the title to said property shall vest in said Fire Control District, *but,* should aid be withdrawn by said Fire Control District then the title shall vest in said Commission of Forestry.

§ 13. Owners burn over lands.—Nothing in this Act shall be construed as limiting and restricting the owners of any forest land within the Organization Area burning over their own land where

the fire is not allowed to spread onto or over the land of another or others.

§ 14. Invalidity.—If any section, sub-section, sentence, clause or phrase of this Act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, sub-section, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

Approved the 10th day of May, 1937.

(508)

No. 292.

AN ACT to Exempt the Town of Fort Mill, York County, South Carolina, from the Provisions of Section 7381, Code of Laws South Carolina 1932, and Acts Amendatory Thereof.

Section 1. § 7381, 1932 Code, amended—town of Fort Mill exempted—§§ 7374-7379 applicable to said town.—Be it enacted by the General Assembly of the State of South Carolina: That Section 7381, Code of Laws of South Carolina 1932 as the same appears amended in the 1934 and 1936 supplements of the Code of Laws of 1932, be, the same is hereby amended by adding at the end thereof the following proviso: "*Provided*, That the town of Fort Mill, York County, South Carolina, is excepted from the provisions of this Section and the provisions of Sections 7374 to 7379, both inclusive, Code of Laws of South Carolina 1932, are made applicable to said town without submitting the question to the qualified electors thereof and such assessments may be laid in said town upon compliance being had with the provisions of the above mentioned Sections," so that when so amended the said Section 7381 as heretofore amended, shall read as follows:

'Section 7381. The provisions of Sections 7374 to 7379, both inclusive, shall not apply or become operative in any city or town until submitted to the qualified electors thereof by the city or town council for approval, and a majority of the qualified electors voting on the question of its approval vote in favor thereof at any general municipal election or at any special municipal election (whether called and held for that purpose only or not) when the question of the said approval of said sections is submitted and voted

on separately and the ballots thereon deposited in a separate box properly labeled and provided for that purpose: *Provided*, That such election shall not be necessary in the case of the city of Georgetown, which may by ordinance of the city council adopt the provisions of sections 7374 to 7379 at any time after the taking effect of this mandatory section: *Provided, However*, That the foregoing provisions of this section shall not apply to the town of Woodruff, in Spartanburg County, nor to the town of Kingstree in Williamsburg County. The town council of the town of Allendale, Allendale County, South Carolina, is hereby authorized to issue and sell paving certificates in accordance with the provisions of sections 7374 to 7379, for the purpose of paving the following streets and sidewalks; to wit: All streets and sidewalks in the space included between the eastern boundary of W. H. Hardin's property on Main Street; thence westerly along Main Street to a point which includes its entire intersections with Railroad Avenue, and thence in a northwesterly direction to a point including the entire intersection of Railroad Avenue with Memorial Avenue. The provisions and requirements of section 7381 are hereby declared inapplicable to the above described paving project, and no election shall be necessary therefor.

The town council of the town of Honea Path, Anderson County, South Carolina, is hereby authorized to issue and sell permanent improvement certificates in accordance with the provisions of sections 7374 to 7381, for the purpose of making permanent improvements of certain streets of said town. The provisions and requirements of sections 7374 to 7381, are hereby declared inapplicable to the above described permanent improvement project, and no election shall be necessary therefor: *Provided*, That no such election shall be necessary in the case of the town of Due West in Abbeville County. The town council of said town may by ordinance adopt the provisions of sections 7374 to 7379, inclusive, at any time after the taking effect of this amendment, and may issue certificates of indebtedness against property holders in accordance with the provisions of sections 7374 to 7379, inclusive, and Acts amendatory thereof, without the holding of any election: *Provided Further*, That the assessments laid by the town council of the town of Due West against the property owners of said town owning property abutting on the sidewalks of said town constructed during the years 1930 and 1931 and the certificates of indebtedness issued thereon by said town are each and all hereby

validated and the assessments so laid are declared to be valid liens against the property against which the same are laid, and the certificates of indebtedness are hereby declared to be valid and binding obligations of the town of Due West, notwithstanding no election was held in said town authorizing that such assessments be so laid and that certificates of indebtedness be issued thereon. *Provided*, That such election shall not be necessary in the case of the city of Chester which may by ordinance of the city council adopt the provisions of sections 7374 to 7379, both inclusive, at any time after January 22, 1936. 1936 (39) 1288. *Provided*, That the town of Fort Mill, York County, South Carolina, is excepted from the provisions of this section and the provisions of sections 7374 to 7379, both inclusive, Code of Laws of South Carolina 1932, are made applicable to said town without submitting the question to the qualified electors thereof and such assessments may be laid in said town upon compliance being had with the provisions of the above mentioned Sections”.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(509)

No. 293.

A JOINT RESOLUTION Exempting New Manufacturing Establishments and Certain Additions to Old Plants from County Taxes, Except for School Purposes for Five (5) Years in Orangeburg County.

Section 1. Legislative declaration.—Be it resolved by the General Assembly of the State of South Carolina: That in order to induce location of new industries in Orangeburg County and to encourage the enlargement of existing industrial plants, this Joint Resolution is passed; and it is specifically declared that the exemption of the property hereinafter referred to from a uniform and equal rate of assessment and taxation is for a municipal purpose.

§ 2. **Certain manufacturing establishments and certain additions exempt from certain taxes, Orangeburg County.**—That all manufacturing establishments hereafter locating any factory in Orangeburg County, the cost of which establishment is not less than

twenty-five Thousand (\$25,000.00) Dollars, and any manufacturing establishment already located in Orangeburg County but increasing the capacity of its plant by expending not less than Twenty-five Thousand (\$25,000.00) Dollars for additions thereto, are hereby exempt from county taxes, except for school purposes, for five (5) years from the date of the establishment or for five (5) years from the date of the addition or enlargement.

§ 3. All Acts or parts of Acts, or all Joint Resolutions or parts of Joint Resolutions, inconsistent herewith are hereby repealed.

§ 4. This Joint Resolution shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(510)

No. 294.

AN ACT to Amend Act No. 762, of the Acts of the General Assembly of 1936, Entitled "An Act to Provide an Annual Levy in Darlington County to Raise Its Share for the Maintenance of the Florence-Darlington Tuberculosis Sanatorium, and to Provide a Fund for Certain Permanent Improvements," Approved April 23, 1936, so as to Provide an Annual Levy of Two Mills for Said Purposes.

Section 1. Act 762, 1936 Acts, amended—levy for Florence-Darlington tuberculosis sanatorium increased.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 762, of the Acts of the General Assembly of 1936, entitled "An Act to Provide an Annual Levy in Darlington County to Raise its share for the Maintenance of the Florence-Darlington Tuberculosis Sanatorium, and to Provide a Fund for Certain Permanent Improvements", approved April 23, 1936, be, and the same hereby is amended by striking out the words and figures "one and one-fourth ($1\frac{1}{4}$)" on line five of Section 1, between the words "tax of" and "mills" and inserting in lieu thereof the word and figure "two (2)"; so that said Section 1, of Act No. 762 when so amended shall read as follows:

"Section 1: The Auditor of Darlington is hereby authorized to levy and the Treasurer to collect annually a tax of two (2) mills for the maintenance of the Florence-Darlington Tuberculosis Sanatorium. The fund so derived and appropriated for the said Tuberculosis Sanatorium to be paid out monthly upon certified claims filed by the

County Board of Directors, of Darlington County, based upon the pro rata number of patients in the said Sanitorium from Darlington County. *Provided*, That an additional levy of one-fourth of a mill shall be made for the year 1936, in order to raise Darlington County's portion of the cost of an addition to the building for colored patients, and the Treasurer of Darlington County is authorized to pay to the Florence-Darlington Tuberculosis Sanitorium the sum of one thousand (\$1,000.00) dollars upon the payment to the said Sanitorium by Florence County of its share for such purpose."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(511)

No. 295.

AN ACT to Provide Manner, Procedure, Qualification for Registration and Voting in Primary Elections in Cities with a Population of Not More Than 30,000 and Not Less Than 29,000 According to the 1930 United States Census

Section 1. Primary elections for mayor and councilmen in cities of 29,000 and not over 30,000—time—commissioners of election conduct—duty of political parties—voters—challenge votes—candidates—second primary.—Be it enacted by the General Assembly of the State of South Carolina: That, from and after the approval of this Act, in cities in this State having a population of not more than 30,000 and not less than 29,000, according to the 1930 United States census, municipal primary elections for the offices of Mayor and Councilmen shall be held and conducted in accordance with the provisions of this Act, and the qualifications for suffrage herein provided shall be enforced therein. The primary election of any party for nominating mayor and councilmen shall be held on the second Tuesday preceding the municipal election, and shall be conducted by the duly appointed Board of Commissioners of elections and Board of Managers of elections for the said municipal election, who shall be paid as for the holding of said municipal election, and shall conduct the primary elections at the same places and in the same manner and with the enforcement of the same requirements of registration for suffrage as in the municipal election having a separate

box for each organized political party in said city, and for any violation of the law governing the same shall be subject to the same punishment as in violation of the law governing other elections: *Provided, However,* That no person shall be allowed to vote in any party primary election unless he be a member of said party and makes oath to that effect, as provided by the rules of said party: *Provided Further,* that each political party holding a primary election hereunder shall so notify the Mayor and the Chairman of the Board of Commissioners of election for the Municipal election at least five days before the time for the holding of the party primary election that the said political party desires a primary election, and at such primary election three members of such political party, duly appointed for the purpose by the proper officers of the party, shall have the right to be present at each polling precinct and advise the managers if any person offering to vote in said party primary be not a member of said party and file protest as ground for legal contest in case such person be allowed to vote by the legal managers. No ballot cast in said primary election shall be counted for any person who shall not have filed with the chairman of the Board of Commissioners of elections the pledge as to corrupt practices and the itemized statements as to expenditures, as provided in an Act making certain offenses in primary elections, misdemeanors and prescribing penalties therefor, approved March 6, 1905, Volume XXIV of the Statutes, at page 949. The Board of Commissioners of elections shall cause the names of all candidates in the primary election classed according to their party affiliation, to be published in one or more daily newspapers of the city from the time that they have become qualified as candidates up to and including the day of the primary election; and the said board shall provide the printed ballots to be used in the said party primary elections, the names of candidates for mayor, and, also separately, the names of the candidates for councilmen, arranged alphabetically; the ballots in each case to bear the words "Vote for (the number to be elected)." The candidate receiving the largest majority vote shall be declared elected. In case a primary election does not result in a majority and larger vote for the number of persons to be elected in the regular municipal election, a second primary shall be had on the seventh day after the first primary, in which second primary the ballots shall contain, for each position for which choice is to be made, the names of two persons—those receiving the highest vote at the preceding primary election.

§ 2. Books of registration.—That the Supervisor of registration in all counties containing municipalities affected by this Act, shall open the books of registration for a period of twenty (20) days for primary elections, said period of registration shall close thirty (30) days before such elections. That the city registration books are hereby required to be open for registration for such election for a period of thirty (30) days, and same shall close five (5) days before the election. Notice of the opening of books for registration in such elections shall be given by advertising same in one or more newspapers in the County wherein such primary is to be held at a time prior to the opening of said books not exceeding ten days, and said notice shall give the time, the date and place of the opening and closing of said books. Said books shall, during the period in which they are open for registration, be located within their respective voting precincts, and the hours of registration shall be from 12:00 m. to 8:00 p. m. That the production of proof of payment of any tax shall not be prerequisite to any person registering or voting in such primary, and the only registration that shall be required for such voting shall be the registration in the primary registration book.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 8th day of May, 1937.

(513)

No. 296.

AN ACT to Amend Section 2578, Code of Laws of South Carolina, 1932, so as to Exempt from Taxation Property Owned by Congaree Aerie No. 1349, Fraternal Order of Eagles, and the Trustees Thereof.

Section 1. § 2578, 1932 Code, amended—property of Congaree Aerie No. 1349 and trustees thereof exempt from taxes, Richland County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2578, Code of Laws of South Carolina, 1932, be, and the same is, hereby amended by adding at the end of Sub-section 57 thereof a new Sub-section to be known as Sub-section 58 as follows, to wit:

“58. All property, real and personal, owned by Congaree Aerie, No. 1349, Fraternal Order of Eagles, a fraternal and eleemosynary association, in the City of Columbia, in the County of Richland and

State of South Carolina, and all property owned by the Trustees thereof, in the said City, County and State, shall be exempt from all county, city and school taxes.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(514)

No. 297.

AN ACT to Amend Section 1549, Code of Laws of South Carolina, 1932, as Amended, so as to Authorize the Magistrates, Constables, Deputies and Sheriff of Lancaster County to Collect Fees and Mileage in Cases of Violation of the Worthless Check Law, When Prosecutions in Such Cases are Discontinued by Settlement or Compromise.

Section 1. § 1549, 1932 Code, amended—fees collect in certain worthless check cases, Lancaster County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1549, Code of Laws of South Carolina, 1932, as amended by Act No. 54 of the Acts of 1933, be, and the same is hereby amended by adding at the end thereof the following proviso: *Provided, Further*, That the magistrates, constables and deputies and the Sheriff of Lancaster County are authorized, in cases of violation of the worthless check law, to charge and receive from defendants the following fees, which shall be in addition to their compensation: on all worthless checks of Ten Dollars or less, there shall be made by the magistrate who issued a warrant or handles the said check a charge of fifty cents and by the constable, deputy or Sheriff a charge of fifty cents. On all checks exceeding Ten Dollars, the charge shall be One Dollar by the Magistrate and One Dollar by the constable, deputy or Sheriff. In addition to the above charges, the officer is authorized to collect an amount not to exceed five cents per mile for each mile traveled in serving warrants, in no case, however, to exceed the number of miles from the Court House to the residence of the defendant. The above charges shall be made when prosecutions are discontinued by settlement or compromise.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 10th day of May, 1937.

(515)

No. 298.

AN ACT to Amend Section 5331, Volume 2, Code of Laws of South Carolina, 1932, Relating to Duties of Assistant Superintendent of Education in Certain Counties, so as to Provide, That the Superintendent of Education of Spartanburg County May Designate an Employee or Employees of His Office to Manage the Fiscal Affairs of Said Office During His Absence.

Section 1. § 5331, 1932 Code, amended—superintendent of education designate employees act for him during his absence, Spartanburg County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5331, Volume 2, Code of Laws of South Carolina, 1932, relating to the duties of Assistant Superintendent of Education in Certain Counties, be, and the same is hereby amended by adding the following proviso at the end thereof:

“Provided, That the Superintendent of Education of Spartanburg County is hereby authorized and permitted to designate an employee or employees of his office, in addition to the Assistant Superintendent of Education, to sign and approve warrants and claims in the name of the County Superintendent of Education, and likewise other necessary papers in connection with the same in the absence or inability to act of the County Superintendent of Education, and also to perform such other services as may be required. That said employee or employees shall furnish bond in the sum of not less than two thousand (\$2,000.00) dollars each.”

That said Section 5331, Volume 2, Code of Laws of South Carolina, 1932, when so amended shall read as follows:

“Section 5331. It shall be the special duty of such Assistant Superintendent to attend in the office of the County Superintendent of Education, and answer all inquiries and give all necessary information while the County Superintendent is absent, visiting the schools and performing other duties required of him by law. He may, also, if he be so empowered by the County Superintendent (after he has given bond as above required), pass upon and sign teachers’ pay certificates in the name of the County Superintendent, and like-

wise sign pay warrants and other necessary papers in connection with the same in the absence or inability to act, of the County Superintendent. He shall also perform such clerical services as may be required of him. *Provided*, That the Superintendent of Education of Spartanburg County is hereby authorized and permitted to designate an employee or employees of his office, in addition to the Assistant Superintendent of Education, to sign and approve warrants and claims in the name of the County Superintendent of Education, and likewise, other necessary papers in connection with the same in the absence or inability to act of the County Superintendent of Education, and also to perform such other services as may be required. That said employee or employees shall furnish bond in the sum of not less than two thousand (\$2,000.00) dollars each."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(523)

No. 299.

AN ACT Providing for the Acquisition, Construction, Operation and Regulation of Airports and Other Navigation Facilities; Declaring the Ownership and Operation of Airports to be a Public, Governmental and Municipal Purpose; Providing the Right of Condemnation for Airport Purposes by Cities, South Carolina Aeronautics Commission and Other Political Subdivisions; Providing for the Issuance of Bonds and for the Levying of Taxes for Such Purposes; and Extending Police Regulations to Such Public Airports.

Section 1. South Carolina aeronautic commission and political subdivisions acquire, establish, construct, expand, own, lease, control, equip, improve, maintain, operate, regulate and police airports and landing fields.—Be it enacted by the General Assembly of the State of South Carolina: Municipalities, counties, South Carolina Aeronautics Commission and other political subdivisions, of this state are hereby authorized, separately or jointly, to acquire, establish, construct, expand, own, lease, control, equip, improve, maintain, operate, regulate, and police airports and landing fields for the use of aircraft, either within or without the geographical limits of such municipalities, counties and other political subdivisions, and

may use for such purpose or purposes any available property that is now or may at any time hereafter be owned or controlled by such municipalities, counties, South Carolina Aeronautics Commission or other political subdivisions; but no county shall exercise the authority hereby conferred outside of its geographical limits except in an adjoining county and this only jointly with such adjoining county.

§ 2. Lands for such purposes.—Any lands acquired, owned, leased, controlled or occupied by such counties, municipalities, South Carolina Aeronautics Commission or other political subdivisions for the purpose or purposes enumerated in Section 1 of this Act, shall and are hereby declared to be acquired, owned, leased, controlled or occupied for public, governmental and municipal purposes.

§ 3. Acquire private property.—Private property needed by a county, municipality, South Carolina Aeronautics Commission or other political subdivision for an airport or landing field or for the expansion of an airport or landing field, may be acquired by grant, purchase, lease, condemnation or other means, if such political subdivision or State Agencies are able to agree with the owners of said property on the terms of such acquisition, and otherwise by condemnation in the manner provided by the law under which such political subdivision or State Agency is authorized to acquire real property for public purposes.

§ 4. Payment of lands.—The purchase price or award for real property acquired, in accordance with the provisions of this Act, for an airport or landing field may be paid for by appropriation of moneys available therefor or wholly or partly from the proceeds of the sale of bonds of said county, municipality, or other political subdivision as the legislative body of such political subdivision shall determine; subject, however, to the adoption of a proposition therefore at a regular or special election, if the adoption of such a proposition is a prerequisite to the issuance of bonds of such political subdivision for public purposes generally.

§ 5. Duties and powers as to such airports and landing fields.—Counties, municipalities, South Carolina Aeronautics Commission or other political subdivisions of this State which have established or may hereafter establish airports or landing fields, or which acquire, lease, or set apart real property for such purpose or purposes, are hereby authorized:

(a) To construct, equip, improve, maintain, and operate the same, or to vest authority for the construction, equipment, improvement,

maintenance and operation thereof, in an officer, board or body of such political subdivision. The expense of such construction, equipment, improvement maintenance, and operation shall be a responsibility of said political subdivision;

(b) To adopt regulations and establish charges, fees and tolls for the use of such airports or landing fields, fix penalties for the violation of said regulations, and establish liens to enforce payment of said charges, fees and tolls;

(c) To lease for a term not exceeding twenty-five years such airports or landing fields to private parties for operation, or to lease or assign for a term not exceeding twenty-five years to private parties for operation space, area, improvements, and equipment on such airports or landing fields, provided in each case that in so doing the public is not deprived of its rightful, equal and uniform use thereof.

§ 6. Finances.—The local public authorities having power to appropriate moneys within the counties, municipalities or other public subdivisions of this State, acquiring, establishing, developing, operating, maintaining, or controlling airports or landing fields under the provisions of this Act, are hereby authorized to appropriate and cause to be raised by taxation or otherwise in such political subdivisions, moneys, sufficient to carry out therein the provisions of this Act; also, to use for such purpose or purposes moneys derived from said airports or landing fields.

§ 7. Acquire air rights over private property.—Where necessary, in order to provide unobstructed air space for the landing and taking off of aircraft utilizing airports and landing fields acquired or maintained under the provisions of this Act, the counties, municipalities, South Carolina Aeronautics Commission and other subdivisions of this State are hereby granted authority to acquire such air rights over private property as are necessary to insure safe approaches to the landing areas of said airports and landing fields and for the purpose of establishing and protecting aeroplane landing fields. Such air rights may be acquired by grant, purchase, lease or condemnation in the same manner as is provided in Section 3 of this Act for the acquisition of the airport or landing fields itself or the expansion thereof.

§ 8. Acquire easements place and maintain markers and lights.—Such counties, municipalities, South Carolina Aeronautics Commission and other political subdivisions of this State are hereby authorized to acquire the right or easement for a term of years, or per-

petually, to place and maintain suitable markers for the day time, and to place, operate and maintain suitable lights for the night-time marking of buildings, or other structures or obstructions, for the safe operation of aircraft utilizing airports and landing fields acquired or maintained under the provisions of this Act. Such rights or easements may be acquired by grant, purchase, lease or condemnation in the same manner as is provided in Section 3 of this Act for the acquisition of the airport or landing fields itself or the expansion thereof.

§ 9. Police regulations.—Counties, municipalities or other political subdivisions of this State acquiring, establishing, developing, operating, maintaining, or controlling airports or landing fields, without the geographical limits of such subdivisions, under the provisions of this Act, are hereby specifically granted the right to promulgate, amend, and enforce police regulations for such airports or landing fields.

§ 10. Intent—construction.—It is the intent and purpose of this Act that all provisions herein relating to the issuance of bonds and levying of taxes for airport purposes and the condemnation for airports and airport facilities, shall be construed in accordance with general provisions of the law of this State governing the right and procedure of municipalities to condemn property, issue bonds and levy taxes.

§ 11. Invalidity.—If any provision of this Act is declared unconstitutional or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and the application of such provisions to other persons and circumstances shall not be affected thereby.

§ 12. Short title.—This Act may be cited as the Uniform Airports Act.

§ 13. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 14. This Act shall take effect immediately upon its approval by the Governor.

Approved the 10th day of May, 1937.

(524)

No. 300.

AN ACT to Amend Subsection 1 of Section 5567, Volume II, Code of Laws of South Carolina, 1932, Relating to the Election of School Trustees in Laurens County so as to Provide That the Petition Requiring an Election be Signed by a Designated Per Cent of the Resident White Patrons and Resident Freeholders and to Further Specify the Time Such Petitions Must be Filed with the County Board of Education.

Section 1. § 5567, 1932 Code, amended—election of school trustees, Laurens County.—Be it enacted by the General Assembly of the State of South Carolina: That subsection 1 of Section 5567, Vol. II, Code of Laws of South Carolina, 1932, be, and the same is hereby amended by striking out all of said subsection 1 of section 5567, and inserting in lieu thereof the following to be known as subsection 1, of section 5567:

“Section 5567 (1) The number of school districts and the trustees of the several school districts in Laurens County shall be as now constituted and provided by law, except as may be altered or changed under an election to be held as provided for in this section. The County Board of Education for Laurens County is hereby authorized, empowered and required to call an election to be held on the first Saturday in July, 1937 and on the same date each year thereafter, in any school district of Laurens County when it shall have received a petition requesting an election to be held in such district for the purpose of selecting trustees. *Provided*, that said petition shall be signed by at least one-third of the resident white patrons and at least one-third of the resident freeholders of the age of twenty-one years or more. *Provided further*, that such petition be filed with the County Board of Education at least thirty days prior to the time for such election. The county board of education shall appoint the trustees after the election herein provided, for terms of years in their discretion, based upon the votes received by the trustees in any election held hereunder. Only qualified electors residing in the District shall have the right to vote in any election held hereunder. The term of office of any trustee selected under the provisions of this section shall not be less than one year and not more than five years, and shall be so arranged that the terms of office of not more than one trustee in any district shall expire in any one year and in districts having only three trustees no term of office shall exceed three years. The County Board of Education for Laurens County shall give at least ten days notice

of any election to be held hereunder by posting notice thereof in three public places in the school district in which such election is to be held and such other notice as the board may deem advisable, appoint managers and prescribe the form and furnish a sufficient number of ballots for use in the election, designate the polling place or places, and name the hour of opening and closing the polls, receive the returns in writing, file the same as a public record, declare the result and notify the persons elected as trustees as provided for in this section. The expense of such elections shall be paid from the current school funds of the school districts in which elections are held thereunder. *Provided*, the terms hereof shall not apply to School Districts in Laurens County operating under charter granted under special Act.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(525)

No. 301.

AN ACT to Provide for the Formation and the Management of a County Forest Fire Control Organization and Providing for the Systematic Care and Management of Forests and Wild Land Areas in Lee County, in South Carolina; for the Protection of Forest Lands; to Promote Reforestation on Denuded and Understocked and Sub-Marginal Areas Within the County; Defining Forests and Forest Fires; and Providing for the Financing Thereof.

Section 1. Short title.—Be it enacted by the General Assembly of the State of South Carolina: This Act shall be cited as the “Lee County Forest Fire Control Organization Act.”

§ 2. **Declaration of Lee County legislative delegation.**—The Delegation of Lee County, State of South Carolina, recognizing the fact that the forest lands of Lee County are a natural resource of great economic value to its citizens and the County as a whole, and that the recent establishment in South Carolina of the pulp and the paper industry has materially increased the value of this natural resource, and that it is of utmost importance to Lee County to preserve its forest lands for continuous production of forest products, and

that this cannot be accomplished without organized protection against forest fires, does hereby declare the protection against fire and the preservation of the forests of Lee County, as herein defined, essential for the economic welfare of the whole county and its people.

§ 3. Forest fire control organization district.—That for the purpose of providing for the protection of the forest lands, to promote reforestation on denuded and understocked and sub-marginal areas, and to aid in the enforcement of all laws pertaining to forests and other lands, Lee County, for the purpose of this Act, is under the provision hereof, created a Forest Fire Control Organization District.

§ 4. Fire prevention and control work.—All fire prevention and control work in this Forest Fire Control Organization District, created by this Act, shall be under the direction of the South Carolina Commission of Forestry and the State Forester, subject to the provisions of this Act and the laws of the State and Federal Government now, or hereafter, enacted, relative to forestry and forest fire prevention and control.

§ 5. Forest land.—For the purpose of this Act, all lands within said fire District shall be construed "Forest Land" which have enough forest growth, standing or down, or have sufficient inflammable debris or grass outside of corporate limits to constitute, in the judgment of the South Carolina State Commission of Forestry, a fire menace to itself or adjoining lands.

§ 6. Forest fire.—The term "Forest Fire", as used in this Act, means any fire burning uncontrolled on any land covered wholly or in part by timber, brush, grass or other inflammable vegetation.

§ 7. County tax to defray expenses — disbursement.—The Auditor of Lee County is hereby directed annually to levy a sufficient tax upon all taxable property of Lee County annually to raise not less than twenty-five hundred (\$2500.00) dollars for the purpose of defraying the expenses incident to the forest fire control herein provided, and the Treasurer of Lee County, shall on the 1st day of July annually, commencing July 1, 1938, pay over to the State Commission of Forestry said sum of twenty-five hundred (\$2500.00) dollars, to be used by said Forestry Commission as herein provided, and the voucher check or other method of payment made by said Treasurer shall be complete discharge of the said Treasurer hereunder. It is further provided that, for the calendar year 1937, said sum of twenty-five hundred (\$2500.00) dollars shall be included in the 1937

County Supply Bill and said sum shall be paid over to the State Commission of Forestry on the 1st day of July, 1937 to be used as herein provided.

§ 8. Board—appointment—term.—There shall be set up a board to be known as the Lee County Forestry Board, consisting of seven (7) members of which one shall be the State Forester (or his representative—a member of the State Forest Service), with full voting power; one shall be a member of the County Delegation; and one shall be the County Farm Demonstration Agent. The four remaining members shall be so elected by the County Delegation that one shall be a land-owning farmer; one shall be a business man and two shall be from the County at large. The members elected to the Board shall serve continuously or until the dissolution of this Forest Fire Control Organization District. Vacancies occurring in the membership of said Board, due to the resignation or any other reason, shall be filled by nomination upon a majority vote of the remaining members of the Lee County Forestry Board at the first meeting following the occurrence of such vacancy, *Provided, However,* That such nominations shall be in accordance with the representation specified in this Act. All members of said Board shall serve without compensation.

It is further provided that the present elected members of the now existing Lee County Forestry Board shall be continued as members of the new Board so created by the Act.

§ 9. Duties of board—meetings—wardens, patrolmen, and towermen.—The duties of the Board shall be to serve in an advisory and executive capacity for the performance of the provisions of this Act. They shall hold at least two meetings in each year, one during the month of October and one during the month of February. They shall modify and/or approve the Forest Fire Control plan set up for the organization area by the State Commission of Forestry. They shall modify and/or approve the budget set up for the carrying on of the fire control plan. They shall appoint the necessary wardens, patrolmen and towerman, subject to the approval of the State Commission of Forestry. They shall further define the forest land area of the county in accordance with acreage, as described in Section 7.

§ 10. Forest fire wardens—duties and powers.—Each Forest Fire Warden shall have the power, and his duties shall be, (a) to act as the field representative of the State Forester, (b) to prepare and forward to the State Forester, through the proper channels, such data in his District as may be required by the State Forester, (c) to

report to the State Forester conditions existing within his district which are or may become, forest fire hazards, and to perform such other acts and duties as may be necessary in the opinion of the State Forester to conform with the purposes of this Act.

§ 11. State commission of forestry and state forester—duties and powers.—The State Commission of Forestry and the State Forester shall compile for the October meeting of the Forestry Board in each year a fire control plan for the Fire Control Organization area and a budget itemizing the expenditures to be made during the year following. It shall, following the approval of the fire plan and budget, be the governing body of all fire control activities within the Fire Control Organization area and shall have power to make and enforce all rules and regulations necessary for the administration and government of the area from the standpoint of forest fire prevention and control service, to recommend personnel to be employed as fire wardens, and to be the authorized agent of the Forestry Board to administer the acts of said Board under the authority granted by this Act. The State Forester and his agents, or members of the State Commission of Forestry, or the Forest Fire Organization area, shall have the right at any or all times to go upon any land within the area for the purpose of fighting or controlling forest fires, as defined herein, without making himself liable for trespassing.

§ 12. Title to property acquired.—The title to all property, which may, through the cooperative forest fire control funds, be acquired for the carrying on of this County Forest Fire Control Organization area, created under the provisions of this Act, shall be vested in the State Commission of Forestry; *Provided, However,* if the State Commission of Forestry withdraws aid from said District, the title to said property shall vest in said Fire Control District, but, should aid be withdrawn by said Fire Control District then title shall vest in said Commission of Forestry.

§ 13. Owners may burn over lands.—Nothing in this Act shall be construed as limiting and restricting the owners of any forest land within the Organization area burning over their own land where the fire is not allowed to spread onto or over the land of another or others.

§ 14. Invalidity.—If any section, sub-section, sentence, clause or phrase of this Act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have

passed this Act and each section, sub-section, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

§ 15. **Repeal.**—All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 16. **Time effective.**—This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(527)

No. 302.

AN ACT to Provide for the Payment of Tuition by School Districts Not Consolidated With, but Sending Pupils to Other School Districts in Williamsburg County or Adjoining Districts in Adjacent Counties.

Section 1. School districts pay tuition for pupils attend school in other districts, Williamsburg County.—Be it enacted by the General Assembly of the State of South Carolina: Where pupils of elementary or high school grade of any school district in Williamsburg County shall attend the school of another school district of said County or the school of any district adjoining in any County adjacent to Williamsburg County, the school district to which said pupils shall go shall be entitled to a tuition payment for each pupil so attending equal to the per capita expenditure for operation and capital outlay of the district in which they attend, less the amount of aid furnished by the State and County: *Provided*, that the County shall not be liable for any part of tuition payments for elementary or high school pupils attending any such school, but all such tuition payments shall be direct obligations of the individual districts.

§ 2. **Payment.**—If the regular or general funds of any such school district are insufficient to provide said tuition, the County Auditor is hereby authorized and directed to levy and assess, and the County Treasurer to collect, a tax on all the taxable property of any such district sending pupils to another school district, to meet and discharge any claims arising on account of tuition charges set forth in Section 1 hereof. The tuition to be charged for pupils so attending such other school district or districts shall be based on the expenditures thereof for the previous year.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(528)

No. 303.

AN ACT to Provide for the Appointment of Seven (7) Trustees for Proposed Consolidated School District Number 3 of Williamsburg County, the State of South Carolina, for Their Term of Office, Their Powers and Duties, and for the Appointment of Their Successors, and Providing, if the Proposed Consolidation is Perfected, that Certain Existing Levies of Taxes be Repealed, and Further Providing for the Levy of a Tax Upon the Proposed Consolidated District, and Providing Further for the Entrance at a Later Date of Certain School Districts Into the Proposed Consolidated School District.

Section 1. Trustees for proposed Consolidated School District No. 3, Williamsburg County—number—terms.—Be it enacted by the General Assembly of the State of South Carolina: That, upon the completion of the contemplated consolidation of certain School Districts now in process of consolidation with Kingstree School District Number 16, of the County of Williamsburg, the State of South Carolina, which consolidation is to be known and designated as Consolidated District Number 3, of Williamsburg County, the Board of Trustees for said School District shall be composed of Seven (7) members, who shall hold office for from one (1) to four (4) years as hereinafter provided and until their successors shall have been appointed and qualified.

§ 2. **Appointment—duties and powers.**—The Trustees for said Consolidated School District shall be appointed under the general provisions of law relating to the appointment of Boards of Trustees for School Districts in this State and shall have and exercise all the powers and duties conferred upon Boards of Trustees under the general laws of this State.

§ 3. **Terms—vacancy.**—The County Board of Education for Williamsburg County, in appointing said Trustees, shall designate and appoint two (2) to serve for one (1) year, two (2) to serve for two (2) years, two (2) to serve for three (3) years, and one

(1) to serve for four (4) years, and thereafter each appointment shall be for a period of four (4) years, except that in the event of a vacancy by death, resignation, or otherwise, the successor appointed to fill such vacancy shall hold office for such unexpired term only.

§ 4. **Budget—tax levy—admit certain districts later to proposed district.**—On or before the first day of July of each year the Trustees of said Consolidated School District Number 3, shall prepare and submit to the County Board of Education a budget for the current operation of said school district for the ensuing school year, the budget to be itemized as to salaries, transportation, incidentals, etc. *Provided* that, if said consolidation is perfected, all special levies now outstanding in said districts or any of them, except for bond issues, shall be repealed, and thereupon the County Auditor shall levy and assess against all the taxable property in said consolidated school district sufficient taxes to pay the current operating expenses thereof such as excess salaries, transportation, incidentals, etc., the levy not to exceed six (6) mills; and *Provided Further* that, if any of the sixteen districts named in the petition for consolidation shall not now become a part thereof, it shall be sufficient for such district later to enter said consolidation by circulating a petition to that effect as now required by law, and upon the filing of such petition with the trustees of said consolidated district, the trustees may, in their discretion, admit such petitioning district into the consolidation without the circulation of a similar petition in said consolidated district.

§ 5. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(529)

No. 304.

AN ACT to Safeguard the Use of Roads in Laurens County Not in the State Highway System by Preventing Excess Weight Loads Thereon; and to Provide a Penalty for the Violation Thereof.

Whereas, No lanes or highways of traffic are provided in Laurens County so as to divert heavy loads over highways built therefor; and

Whereas, Numerous roads of Laurens County not in the highway system are being badly damaged and their maintenance made practically impossible because of excess loads thereon: *Now Therefore*:

Section 1. Survey roads not in state highway system and determine axle weight stand, Laurens County.—Be it enacted by the General Assembly of the State of South Carolina: That the Supervisor and the Board of County Commissioners for Laurens County, with such assistance as in their judgment is proper, do go over the roads in Laurens County not in the State Highway System, make a survey and determine the axle weight the different roads can properly stand with the maintenance provided.

§ 2. Place signs on such roads showing axle weight load allowed.—That after such survey there be put by the Supervisor and the County Commissioners in a conspicuous place at the ends of each bridge and along said roads, one for at least every two miles, signs stating the axle weight load allowed thereon.

§ 3. Penalty.—That after the survey and notices herein provided have been made and posted, it shall be unlawful to use said roads for the transportation of anything which, with the vehicle, exceeds the axle weight load found proper; and any violation thereof shall be punished by a fine of not exceeding one hundred (\$100.00) dollars, or imprisonment not exceeding thirty (30) days.

§ 4. Each trip violating provisions separate offense.—Each trip over said roads in violation of this Section shall be a separate and distinct offense.

§ 5. Enforcement.—All officers of the County of Laurens are charged with the due enforcement of this law, and shall have the right to stop any vehicle suspected of violating this Act and determine whether its provisions have been violated.

§ 6. Repeal.—All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 7. Time effective.—This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

AN ACT Making It Unlawful to be Eavesdropper or "Peeping Tom" and Providing Exceptions in Cases of Officers of the Law in Performing Their Official Duty and Providing a Penalty for the Violation Thereof.

Section 1. Not to be eavesdropper or "Peeping Tom" on premises of another.—Be it enacted by the General Assembly of the State of South Carolina: It shall be unlawful for any person or persons to be an eavesdropper or a "Peeping Tom" on or about the premises of another, or to go about or upon the premises of another for the purpose of becoming an eavesdropper or a "Peeping Tom". The term "Peeping Tom", as used in this Act, shall be defined to be one who peeps through windows or doors, or other like places, on or about the premises of another, for the purpose of spying upon or invading the privacy of the persons spied upon, and the doing of any other acts of a similar nature, tending to invade the privacy of such persons.

§ 2. Officers of law performing certain official duties.—Nothing in this Act shall prevent duly constituted officers of the law from performing their official duties in ferreting out offenders or suspected offenders against the law, or in secretly watching a person suspected of violating the laws of the State of South Carolina or any municipality therein, for the purpose of apprehending such suspected violator.

§ 3. Penalty—rights of such officers.—Any person found guilty of the violation of this Act shall be deemed guilty of a felony and, upon conviction, shall be punished by a fine of not more than Five Hundred (\$500.00) dollars or shall suffer imprisonment for not more than three (3) years, either or both in the discretion of the Court. *Provided, However,* the provisions of this Act shall not be construed as giving such officers any additional rights and/or powers upon private property but shall be construed as preserving only such powers as they had before the passage of this Act.

§ 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(531)

No. 306.

AN ACT to Amend Volume III, Section 7961 of the 1932 Code of Laws of South Carolina, so as to Provide a Penalty for Violation of the Broker's Act.

Section 1. § 7961, 1932 Code, amended—penalty violate §§ 7955-7961, broker's law.—Be it enacted by the General Assembly

of the State of South Carolina: That Section 7961 of the Code of Laws of South Carolina, 1932, be and the same is hereby amended by adding at the end of said Section the following proviso:

“Provided, That any person, firm or corporation violating any of the provisions of Section 7955 through 7961, shall upon conviction, be fined not less than One Hundred (\$100.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, at the discretion of the presiding judge, such fines to be collected as is now provided under the insurance laws now in force in this State. Each risk written in violation of the terms of said sections shall be considered a separate offense,” so that said section when so amended shall read as follows:

“Section 7961. All licenses of brokers issued under the provisions of this article shall expire March 31 of each year, and the license fees may be prorated quarterly after October 1, of each year. Provided, That any person, firm or corporation violating any of the provisions of Section 7955 through 7961, upon conviction be fined not less than One Hundred (\$100.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, at the discretion of the presiding judge, such fines to be collected as is now provided under the insurance laws now in force in this State. Each risk written in violation of the terms of said sections shall be considered a separate offense.”

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 13th day of May, 1937.

(532)

No. 307.

AN ACT to Amend Section 1 of an Act Entitled “An Act Requiring All Cases, Civil and Criminal, Triable or Originating Before Magistrates in Aiken County, to be Heard by the Magistrate in Whose Judicial District Same Originates, and Authorizing Magistrate H. B. Garvin and Magistrate D. H. Sawyer to Define the District Lines Between Their Respective Districts”, Known as Act No. 874 of the Acts of the General Assembly of South Carolina, 1934, Approved April 7th, 1934, so as to Further Regulate the Jurisdiction of Magistrates and Constables in Aiken County.

Section 1. Act 874, 1934 Acts, amended—jurisdiction of magistrates and constables, Aiken County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of an Act entitled “An Act Requiring all Cases, Civil and Criminal, Triable or Originating Before Magistrates in Aiken County, to be Heard by the Magistrate in whose Judicial District same Originates, and Authorizing Magistrate H. B. Garvin and Magistrate D. H. Sawyer to Define the District Lines between their respective districts”, known as Act No. 874 of the Acts of the General Assembly of South Carolina, 1934, Approved April 7th, 1934, be, and the same is hereby, amended by adding the following proviso at the end of Section 1:

“Provided, That in any case involving the violation of any law regulating or pertaining to motor or other vehicle traffic upon the County and/or state highways of Aiken County, the Magistrate at the county seat and the Constable shall have jurisdiction and power to do any and all things that may be done by the Magistrate and Constable in the district where the offense is alleged to have been committed.”

so that said Section 1, when so amended, shall read as follows:

“Section 1: That all cases, civil and criminal, triable or originating before Magistrates in Aiken County shall be heard by the Magistrate in whose Judicial District same originates. *Provided, However,* That the provisions of this Act shall in no wise affect the right of anyone to have any case transferred from one Magistrate to another as now provided by law. *Provided,* That the provisions of this Act shall not apply to actions in tort, nor to criminal investigations of crime beyond the jurisdiction of said Magistrates when the punishment thereof shall be life imprisonment or death, nor to actions for goods, wares and merchandise or money had and received, or on liquidated demands or for wages and/or penalties; nor shall the provisions of this Act apply to cases pending at the time of its approval; and *Provided, Further,* That in case any case shall arise where the question of jurisdiction is doubtful as to the territorial line of said District, that fact shall be determined in said cause the same as any other question or fact. *Provided,* That in any case involving the violation of any law regulating or pertaining to motor or other vehicle traffic upon the county and/or state highways of Aiken county, the Magistrate at the county seat and the Constable shall have jurisdiction and power to do any and all

things that may be done by the Magistrate and Constable in the district where the offense is alleged to have been committed."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(533)

No. 308.

AN ACT to Amend Section 4755, Volume II, Code of Laws, South Carolina, 1932, by Changing the Term of Office of the Members of the Board of Control of Spartanburg County.

Section 1. § 4755, 1932 Code, amended—terms of members of board of control, Spartanburg County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 4755, Volume II, Code of Laws, South Carolina, 1932, be and the same is hereby amended by striking out at the beginning on line 4 of said section the following: "For two years and shall hold office for two years and until the qualification of their respective successors, except that the present county supervisor shall be *ex officio* a member of the board (one of the three) as long as he holds the office of supervisor, upon the termination of which the office of supervisor is abolished. All the duties, powers and authorities heretofore vested in the county supervisor are devolved upon the county board, which shall become effective at once. and insert in lieu thereof the following: "one for a term of two (2) years, one for a term of three (3) years, and one for a term of four (4) years, each of whom shall hold office until the qualification of his respective successor. Said appointments to take effect upon the expiration of the term of office of the present members of said board"; so that said section when so amended shall read as follows:

"Section 4755: The Government of the County of Spartanburg is vested in a board to be known as the County Board of Spartanburg County, which shall be composed of three members who shall be appointed, one for a term of two (2) years, one for a term of three (3) years, and one for a term of four (4) years, each of whom shall hold office until the qualification of his respective successor. Said appointments to take effect upon the expiration of the term of office of the present members of said board. The County Board shall have full and complete executive control of all of the

business and financial affairs of the County with authority to employ such administrative, expert and clerical employees as shall be proper for the efficient management, supervision and operation of the county's business and enterprises; it shall provide business methods of handling the county's finances, and no claim or account for anything whatsoever, except the salaries which are fixed by law, shall ever be paid except such items as have been incurred by the board or such purchasing agent as the board may designate previous to the making of such account or claim."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(534)

No. 309.

AN ACT to Further Amend Act No. 299 of the General Assembly of South Carolina Entitled "An Act Authorizing Any County, Township, City or Incorporated Town in the State of South Carolina to Purchase or Construct a Waterworks System, Etc.", Approved May 8, 1933, by Amending Section 7 of Said Act so as to Provide That Bonds Issued Pursuant Thereto Shall Mature in Such Amount, or Amounts, and at Such Time or Times as May be Fixed in the Ordinance or Resolution Authorizing Such Bonds, Notwithstanding Any Inconsistent Provision Contained in Any Other Law, and that the Provisions of This Amendment Shall Apply to Bonds Issued Pursuant to Said Act Notwithstanding that the Proceedings Authorizing the Issuance of Such Bonds May have Been Taken by a Borrower Prior to the Effective Date of This Amendment.

Section 1. Act 299, 1933 Acts, amended—bonds mature in such amounts and times as fixed in ordinance or resolution authorizing issuance.—Be it enacted by the General Assembly of the State of South Carolina: That Section 7 of Act No. 299 of the Acts of South Carolina, 1933, entitled "An Act to authorize any county, township, city or incorporated town of the State of South Carolina to purchase or construct a waterworks system, etc.", approved May 8, 1933, as amended, be, and the same is hereby, amended by striking out the sentences "No such installment shall be

- more than two and one-half times as great in amount as the smallest prior installment of the same issue. If all of the bonds of an issue are not issued at the same time, the bonds at any one time outstanding shall mature as aforesaid," by inserting the words "or resolution" after the word "ordinance" in lines 5, 12 and 15 of said Section; and by inserting the words "and in such amount or amounts and at such time or times as may be fixed in the ordinance or resolution authorizing such bonds, notwithstanding any inconsistent provision contained in any other law" after the word "semi-annually" in line 27 of said Section, so that said Section, when so amended, shall read as follows:

"Section 7. For the purpose of defraying the cost of purchasing, constructing, improving, enlarging, extending or repairing any such system or project, any borrower may borrow money and issue its negotiable serial bonds, provided that no such bonds shall be issued unless and until authorized by an ordinance or resolution which shall set forth a brief description of the contemplated improvement, the estimated cost thereof, the amount, maximum rate of interest, time and place of payment and other details in connection with the issuance of the bonds. Such serial bonds shall bear interest at not more than six per cent (6%) per annum, payable semi-annually, and shall be payable at such times, not exceeding forty-five (45) years from their date, and at such places as shall be prescribed in the ordinance or resolution providing for their issuance. The bonds and the coupons shall be executed in such manner and shall be substantially in the form provided in the authorizing ordinance or resolution. Such bonds shall be sold in such manner and upon such terms as the governing body shall deem for the best interest of the borrower. In no event shall any of the bonds be sold on a basis to yield more than six per cent (6%) per annum from the date of sale to the date of average maturity of the bonds sold, *Provided, However,* That in any contract for the purchase or construction of any system or project named in Section 1, or for the improvement, enlargement, extension or repair of any such system or project provision may be made that payment therefor shall be made in such bonds. Such bonds and their coupons may be made payable in lawful money of the United States of America, or in gold coin of the standard weight and fineness existing on the date thereof. Such bonds shall mature annually, or semi-annually, and in such amount or amounts and at such time or times as may be fixed in the or-

dinance or resolution authorizing such bonds, notwithstanding any inconsistent provision contained in any other law, and the first installment thereof shall be made payable not more than five (5) years from the date of such bonds. The principal of and interest upon such bonds shall be payable solely from the revenue derived from the operation of the system or project for the purchase, construction, improvement, enlargement, extension, or repair of which the same are issued; *Provided, However,* That where a borrower improves, enlarges, extends, or repairs any system or project named in Section 1 the principal of and interest upon such bonds may be made payable from the revenues derived from the operation of the entire system or project. No bond or coupon issued pursuant to this Act shall constitute an indebtedness of such borrower within the meaning of any State constitutional provision or statutory limitations. It shall be plainly stated on the face of each such bond and coupon that the same has been issued under the provisions of this Act and that it does not constitute an indebtedness of such borrower within any State constitutional provision or statutory limitation. *Provided, However,* That any municipality now or hereafter owning and operating a system or project named in Section 1, whether constructed under the provisions of this Act or not, and desiring to improve, enlarge, extend or repair the same, may issue revenue bonds under the provisions of this Act to pay for such improvements, enlargements, extensions or repairs, payable from the net revenue to be derived from the operation of the existing system or project as improved, enlarged, extended or repaired, but nothing in this proviso shall be construed as authorizing any such municipality to impair or commit a breach of the obligation of any valid lien or contract created or entered into by it, the intention hereof being to authorize the pledging, setting aside and segregation of such revenues for the construction of such improvements, enlargements, extensions or repairs only where consistent with outstanding obligations of such municipality”.

§ 2. Issue bonds hereunder although proceedings issue heretofore had.—That bonds may be issued pursuant to Act No. 299, as amended, notwithstanding that the proceedings to authorize the issuance of such bonds may have been taken by a borrower prior to the effective date of this Act.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 13th day of May, 1937.

(535)

No. 310.

AN ACT to Authorize the Magistrates of Greenville County to Collect Costs Upon the Compromise or Settlement of Criminal Cases.

Section 1. Fee pay magistrate if criminal case settled or compromised before trial, Greenville County.—Be it enacted by the General Assembly of the State of South Carolina: That the Magistrates of Greenville County are authorized to collect a fee of three and 50/100 (\$3.50) dollars in criminal cases which have been settled or compromised before trial; but the Magistrate who issues the warrant shall be entitled to receive the said fee as part of his compensation; that the fee shall be paid by the party at whose instance the case is compromised or withdrawn: *Provided*, that it is hereby made unlawful for any Magistrate to file claim for his salary and to receive a warrant therefor unless and until he has filed with the governing body of the County an itemized statement of all such collections made during the month immediately preceding the filing of his claim which, among other things, shall show the date of the issuance of the warrant; the nature of the offense charged; the name of the prosecuting witness; the name of the defendant; the name of the Magistrate issuing the warrant; the reasons for the settlement or compromise; the name of the party who paid the cost, and the date upon which it was paid.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(536)

No. 311.

AN ACT Making Doctor W. A. Tripp of Anderson County and Doctor W. A. Woodruff of Spartanburg County Honorary Members of the Board of Trustees of the Medical College of the State of South Carolina Until 1943.

Whereas, Dr. W. A. Tripp of Anderson County and Dr. W. A. Woodruff of Spartanburg County have been members of the Board of Trustees of the Medical College of the State of South Carolina since said college became a State Institution, during which time said Doctor W. A. Tripp served as Chairman of the Board of Trustees for several years; and

Whereas, The said Doctor W. A. Tripp and Doctor W. A. Woodruff have rendered faithful and distinguished services to the Medical College and the State of South Carolina; and

Whereas, It is desired that the said Medical College and the State of South Carolina continue to receive the benefit of their wise counsel and distinguished service, and it has been suggested that in appreciation of the services these two distinguished South Carolinians have rendered our State, they be made Trustees of the said Medical College of the State of South Carolina until 1943: *Now Therefore*

Section 1. Dr. W. A. Tripp and Dr. W. A. Woodruff honorary trustees of Medical College of the State of South Carolina—term—duties and powers.—Be it enacted by the General Assembly of the State of South Carolina: That Doctor W. A. Tripp of Anderson County and Doctor W. A. Woodruff of Spartanburg County be, and they are, hereby made and designated honorary trustees of the Medical College of the State of South Carolina until 1943, and, as such honorary Trustees, they are to have the same powers, duties and authority as the other Trustees of said institution.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(540)

No. 312.

AN ACT to Provide for the Election of School Trustees in New Port School District No. 36 of York County and Fix Their Term of Office.

Section 1. Trustees, New Port School District No. 36, York County—election—term.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the passage of this Act, the trustees of New Port School District No. 36 of York County shall be elected by the qualified electors of the said school District for a term of two (2) years and until their successors have

been elected and qualified. That the first election for said trustees shall be held on the second Tuesday in June, 1937, and every two (2) years thereafter on the same date, after giving public notice thereof at least ten (10) days in a newspaper published in the County of York. That the term of office of the present trustees of New Port School District No. 36 of York County shall expire on the second Tuesday in June, 1937.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(545)

No. 313.

AN ACT to Amend Section 3244, Code of Laws of South Carolina, 1932, so as to Increase and Further Define the Duties of Inspectors of the Department of Labor, and to Authorize and Empower the Commissioner of Labor, or His Agents, to Inspect Buildings and Other Structures.

Section 1. § 3244, 1932 Code, amended—commissioner of labor, or his agents, inspect certain buildings, machinery and equipment—powers and duties—duties of owners, operators, contractors or employers.—Be it enacted by the General Assembly of the State of South Carolina: That Section 3244, Code of Laws of South Carolina, 1932, be and the same is hereby amended by adding at the end of said Section the following:

“The Commissioner of Labor, or his authorized agents or inspectors, are hereby given the power and are authorized to examine and inspect elevators, stairways, floors, fire exits, ventilation, guards on machines, belts and pulleys of any building under construction, or of any building being remodeled within this State, or any other structure, danger or hazard, which would be dangerous to employees working in or about said building or machinery.

Upon finding any dangerous or hazardous defects within a building or upon a building, or other structure, the Commissioner of Labor shall call the same to the attention of the owner, or operator, of the building, of the contractor or employer of labor, as the case may be, and any such person thereafter failing to carry out the recommendations of the Commissioner of Labor, or his

duly authorized agents, within ten (10) days thereafter, he will be subject to a fine of not less than Twenty Five (\$25.00) Dollars, nor more than One Hundred (\$100.00) Dollars or by imprisonment in the County Jail for not less than ten (10) days nor more than thirty (30) days, or both such fine and imprisonment, at the discretion of the Court; *Provided*, That this Section shall not apply to Railroads or Express Companies; and *Provided, Further*, That this Section shall not apply to any residence or farm building; nor shall it apply to any other building or structure, the cost of the construction of which will not exceed the sum of Five Thousand (\$5,000.00) Dollars." so that, when so amended, the said Section shall read as follows:

"Section 3244. The Inspectors appointed under this Article are empowered to visit and inspect, at reasonable hours, and as often as practicable, the factories, workshops and other establishments in this State referred to in this Article, and shall report to the Commissioner the result of their inspections. They shall enforce the provisions of this Article and prosecute all violations of the same.

The Commissioner of Labor, or his authorized agents or inspectors are hereby given the power and are authorized to examine and inspect elevators, stairways, floors, fire exits, ventilation, guards on machines, belts and pulleys of any building under construction, or of any building being remodeled within this State, or any other structure, danger or hazard, which would be dangerous to employees working in or about said building or machinery.

Upon finding any hazardous or dangerous defects within a building or upon a building, or other structure, the Commissioner of Labor shall call the same to the attention of the owner or operators, of the building, or the contractor or employer of labor, as the case may be, and any such person thereafter failing to carry out the recommendations of the Commissioner of Labor, or his duly authorized agents, within ten (10) days thereafter, he will be subject to a fine of not less than Twenty Five (\$25.00) Dollars, nor more than One Hundred (\$100.00) Dollars, or by imprisonment in the County Jail for not less than ten (10) days nor more than thirty (30) days, or both such fine and imprisonment, at the discretion of the Court; *Provided*, That this Section shall not apply to Railroads or Express Companies; and *Provided, Further*, That this Section shall not apply to any residence or farm building; nor shall it apply to any other building or structure, the cost of the

construction of which will not exceed the sum of Five Thousand (\$5,00.00) Dollars."

§ 2. **Repeal.**—All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. **Time effective.**—This Act shall take effect on July 1, 1937.

Approved the 13th day of May, 1937.

(547)

No. 314.

AN ACT to Create and Establish the Greenwood County Public Library, Define the Method of Electing the Members of Board of Trustees, Fix Their Term of Office and Define Their Duties and Powers.

Section 1. Greenwood city and county public library—created—powers.—Be it enacted by the General Assembly of the State of South Carolina: That there is hereby established a corporation under the name of the Greenwood City and County Public Library, which shall have all the powers conferred upon corporations under the laws of South Carolina.

§ 2. **Board of trustees—appointment—terms—vacancy.**—That the said corporation shall be managed by a Board of Trustees consisting of nine (9) members, who shall be appointed by the Greenwood County Board of Education on or before May 1, 1937, or as soon thereafter as shall be practicable, five (5) of whom shall be from the City of Greenwood, and four (4) from the County outside of the city limits. One (1) for a term of one year; two (2) for a term of two years; three (3) for a term of three years; and three (3) for a term of four years; and on May 1st. of each year there after the vacancies, due to expiration of terms, shall be filled by appointment by the County Board of Education to a member or members whose term or terms shall be for a period of three (3) years, or until their successors are named and qualified, and should any vacancy occur on said Board of Trustees by death, resignation or otherwise, the County Board of Education shall fill said vacancy for the unexpired term.

§ 3. **Board control and manage library.**—That said Board shall have the entire and exclusive control and management of the Greenwood City and County Public Library and shall have the power to employ, direct and discharge one or more librarians and any other

such employees as it may consider advisable; and that said Board shall meet as soon as convenient after the appointment of its members and shall organize by the election of a Chairman and such other officers as may be deemed expedient; and said Board shall make such rules and regulations for the conducting of its business of operating a public library, not inconsistent with the laws of this State, as it may deem advisable: *Provided*, that no member of said Board of Trustees shall contract with said Board and any attempted contract shall be void.

§ 4. Board buy, sell, own and lease property—accept donations.—That said Board shall have power to buy, sell, own and lease real estate or personal property, to accept real or personal property, money or other donations in the name of the Greenwood City and County Public Library for the support and maintenance of said library and for any other purposes not inconsistent therewith.

§ 5. Operate trucks circulate books.—It is the purpose of this Act to make the books of the Greenwood County Library available to citizens of Greenwood County residing throughout the said County and to that end the Board shall operate one or more trucks for the purpose of circulating such books throughout the County. The Board shall have the power to determine the number of trucks which shall be operated; the routes said truck or trucks shall pursue, and make all necessary arrangements for the operations of said truck or trucks.

§ 6. Tax levy support—borrow on.—There is hereby levied for fiscal year 1937-1938 a tax of one mill upon all the taxable property in Greenwood County to be used and expended for the expansion, support and maintenance of the Greenwood City and County Public Library; the Auditor for Greenwood County is hereby empowered and directed to charge said tax on his duplicates for the year 1937 and each year thereafter in the same manner as other taxes that shall be entered thereon for County purposes; the Treasurer for Greenwood County is hereby directed to collect said taxes as other taxes are collected, to pay out the proceeds of said tax levy as provided for by this Act, and the said County Treasurer is further authorized and directed upon the request of the Board of Trustees of said library to borrow money in anticipation of said tax so levied and assessed.

§ 7. Deposit and disbursement of funds—board report annually on finances.—That all funds collected on account of this tax shall remain on deposit with the County Treasurer and shall be handled by him in the same way as other county funds are handled, and

shall be credited to the account of the Greenwood City and County Public Library, but approval of the library Board shall be necessary before any claim or voucher shall constitute a valid claim against the funds credited to the library account, but when so approved and countersigned by the Chairman of the Library Board and the Treasurer of the Library Board, the same shall constitute a valid obligation against the funds credited to the account of the Greenwood City and County Public Library; and it shall be the duty of said Board to file with the Clerk of Court for Greenwood County on or before August 1st. of each year an itemized report, showing in detail all money received and expended by said Board during the preceding fiscal year.

§ 8. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 9. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(548)

No. 315.

AN ACT to Provide for the Levy of a Tax on Taxable Property in Union County for the Purpose of Assisting in the Expenses of the High Schools in Said County and to be Used in Replacing the Tuition Charges Provided for in Section 4818, Vol. 2, Code of Laws of South Carolina, 1932.

Section 1. Tax levy for high school purposes, Union County.—Be it enacted by the General Assembly of the State of South Carolina: That the Auditor of Union County is hereby authorized and directed to levy on taxable property in Union County for high school purposes, a tax of one-half ($\frac{1}{2}$) mill, and the Treasurer is hereby authorized and directed to collect the same at the same time and in the same manner as other taxes are collected. The Treasurer is further directed to hold, in a separate fund, the amount so collected and credit the same to each high school district in such proportionate amount as directed by the County Board of Education.

§ 2. **Allot and apportion funds to high school districts—replace tuition charges under § 4818, 1932 Code.**—The County Board of Education for Union County is hereby authorized and directed to allot and apportion the amount so collected to each high school district in said County in proportion to the high school enroll-

ment in said district and to direct the Treasurer of Union County to credit the proportionate amount to each high school district for the purpose of assisting in the expense of high schools. The funds derived from this levy are in lieu of and are to be used to replace the tuition charges provided for in Section 4818, Vol. 2, Code of Laws of South Carolina, 1932.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(551)

No. 316.

AN ACT to Amend an Act Regulating Persons, Corporations, and Municipalities Engaged in the Generation, Transmission, Delivery of Furnishing of Electricity for Light, Heat, or Power, Prescribing the Duties of the Railroad Commission in Relation Thereto, and Prescribing Penalties for the Violation of the Provisions Thereof, Said Act Being Approved by the Governor on the 8th Day of April, 1932, by Striking Out the Proviso at the End of Subsection (k) of Section 2 of Said Act, and Substituting in Lieu Thereof a New Proviso Relating to the Time, Manner and Condition Under Which Appeals to the Supreme Court From the Order of the Public Service Commission Shall be Had.

Section 1. Act 871, 1932 Acts, amended—appeal to supreme court—not abandon service until ordered by supreme court if appeal made.—Be it enacted by the General Assembly of the State of South Carolina: That sub-section (k) of Section 2 of an Act regulating persons, corporations and municipalities engaged in the generation, transmission, and furnishing of electricity, approved April 8, 1932, be, and the same is hereby amended by striking out the proviso at the end of said sub-section and including the following proviso in lieu thereof:

“Provided, That in any case any interested party shall have the right within fifteen (15) days after final order of the Commission, to apply to the Supreme Court for a review thereof, and Provided, Further, That no such abandonment shall be permitted until such appeal shall be heard and the Supreme Court shall by order permit

the same.”; so that said sub-section when so amended shall read as follows:

Section 2. Sub-section (k). No electrical utility shall abandon all or any portion of its service to the public, except for ordinary discontinuance of service for non-payment of undisputed charges in the usual course of business, unless written application is first made to the Commission for the issuance of a certificate authorizing the same, and until the Commission in its discretion issues such certificate after a public hearing of all parties appearing to the Commission to be interested. *Provided*, That in any case any interested party shall have the right, within (15) days after the final order of the Commission to apply to the Supreme Court for a review thereof, and, *Provided, Further*, That no such abandonment shall be permitted until such appeal shall be heard and the Supreme Court shall by order permit the same.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(554)

No. 317.

AN ACT to Amend Section 2167, Volume II, Code of Laws of South Carolina, 1932, by Adding a Proviso Thereto Pertaining to Beaufort County.

Section 1. § 2167, 1932 Code, amended—forfeited land commission, Beaufort County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2167, Volume II, Code of Laws of South Carolina, 1932, be amended by adding to the first paragraph, at the end thereof, the following proviso:

“*Provided, However*, That the Forfeited Land Commission in Beaufort County shall consist of the County Treasurer, County Auditor and the County Sheriff,”

So that said first paragraph when so amended shall read as follows:

“Section 2167. A Forfeited Land Commission is hereby created in each of the counties of this State, consisting of the county treasurer, county auditor and clerk of court, all acting *ex officio* and who shall serve without compensation: *Provided*, That the chairman of the Board of County Commissioners or governing board of the vari-

ous counties may serve on the forfeited land commission when officially designated by the county legislative delegation, and he shall have equal authority with other members of the commission and shall serve without compensation. *Provided*, That in Florence County there shall be appointed one (1) person to be known as forfeited land commissioner, such appointment to be made by the Governor upon the recommendation of a majority of the legislative delegation, whose duty it shall be to take charge of forfeited lands, sell same, receive deed for such land and make deed for the purchaser, and when same is sold and deed received shall receive five (\$5.00) dollars for each such deed, said commissioner to hold for a term of four (4) years unless sooner removed for cause. *Provided, Further*, That in all counties having register of mesne conveyances that such register of mesne conveyance shall constitute a member of the said Forfeited Land Commission for that county in lieu and stead of the clerk of the Court. *Provided, However*, That the Forfeited Land Commission in Beaufort County shall consist of the County Treasurer, County Auditor, and the County Sheriff."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(557)

No. 318.

AN ACT to Amend Section 1217, Volume 1, Code of Laws of South Carolina, 1932, Relating to Exemptions of Various Counties from Sections 1215 and 1216, so as to Provide that Said Sections Shall Apply to York County.

Section 1. § 1217, 1932 Code, amended—§§ 1215 and 1216 relating to cleaning out and obstructing streams apply to York County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1217, Volume 1, Code of Laws of South Carolina, 1932, relating to certain Counties which are exempted from Sections 1215 and 1216, be, and it is hereby, amended by striking out the word "York", so that said Section when so amended shall read as follows:

"Section 1217. The provisions of sections 1215 and 1216 shall not apply to, nor be enforced, in the following counties, to wit:

Bamberg, Aiken, Greenwood, Colleton, Dorchester, Fairfield, Clarendon, Union, Chesterfield, Sumter, Darlington, Richland, Berkeley, Lancaster, Barnwell, Hampton, Florence, Beaufort, Horry, Lexington, Marlboro, Pickens, Abbeville, Georgetown, Saluda, Anderson, and Oconee: *Provided*: That provisions of section 1215 shall not apply to, nor be enforced in, the county of Williamsburg."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(560)

No. 319.

AN ACT to Create the South Carolina Department of Public Welfare and County Departments of Public Welfare, to Prescribe the Duties and Powers of the Same, and to Promote the Public Welfare by Providing Assistance and Services for the Needy Aged, Blind, Children and Other Handicapped and Unfortunate Persons.

PART 1. ADMINISTRATION AND ORGANIZATION.

Section 1. State department of public welfare—South Carolina board of public welfare—election—terms—vacancy.—There is hereby created a State Department of Public Welfare hereinafter referred to as the State Department with such subordinate divisions as may now or hereafter be created or authorized by Law, which shall operate under the South Carolina Board of Public Welfare, the members of which shall be elected by the General Assembly and shall consist of a Chairman elected from the State at large for a term of four (4) years and until his successor shall have been duly elected and qualified, and one Commissioner elected from each Congressional District; the Commissioners elected from the first, third and fifth Districts shall serve for two (2) years and until their successors have been duly elected and qualified and the Commissioners from the second, fourth and sixth Districts shall serve for four (4) years and until their successors have been duly elected and qualified. The successors of the original Commissioners so elected shall serve for terms of four (4) years and until their successors have been duly elected and qualified. Beginning with the year 1941, no member of the said Board shall be eligible to succeed him-

self nor shall any citizen residing in the county from which the preceding Commissioner came, be eligible to succeed him. No member of the General Assembly shall be eligible for election as Chairman or Commissioner. In case of any vacancy by death, resignation or otherwise in the office of Chairman or Commissioner from any District, the Governor shall appoint a successor to serve only for the unexpired term.

§ 2. Powers and duties of state department.—The State Department shall supervise and administer the public welfare activities and functions of the State as provided in this Act or as subsequently authorized by law and is authorized to act as the agent of the State and to cooperate with any Federal agency for the purpose of carrying out matters of mutual concern and to administer any Federal funds granted the State in the furtherance of the duties now or hereafter imposed upon the Department by law. The Department shall study the various social problems confronting the State, inquiring into their causes and possible cures, making such surveys, gathering such statistics, and formulating such recommended public policies in connection thereto as may be in the interest of the State, and make such information available in published form. The Department shall have the authority to adopt all necessary rules and regulations and formulate policies and methods of administration when not otherwise fixed by law, to carry out effectively the activities and responsibilities delegated to it.

§ 3. State board—meetings—quorum—pay.—The Chairman shall call the first meeting of the Board and thereafter it shall meet not less than once a month on regular dates fixed by it; a majority of the said Board shall constitute a quorum and decide all matters. The said Board may adopt its own rules and procedure for the government of its deliberations not otherwise provided by law. Members of the said Board shall receive a per diem of Ten (\$10.00) Dollars and necessary mileage for attending meetings at the rates allowed other state officials as fixed in the annual Appropriation Act; no member shall receive more than three hundred (\$300.00) dollars during the first year or more than two (\$200.00) dollars in any subsequent year, exclusive of mileage.

§ 4. State director of public welfare.—The said Board shall select as the chief executive officer and as the administrative head of the Department a state director of Public Welfare, referred to herein as the State Director, who shall hold office until his successor has been elected and qualified; the said Director shall execute the

decisions and carry out the policies of the said Board and see that the laws relating to the activities and responsibilities of the said Board are obeyed; he shall receive such salary as the Board shall fix (not exceeding thirty-six (\$3,600.00) hundred dollars) unless the General Assembly shall fix his compensation in the annual Appropriation Act or otherwise. The Board may require the said Director to furnish bond in such sum as the said Board may require, and shall have authority to designate the duties of the said Director not otherwise specified by law.

§ 5. State department—employees—pay—bonds.—Subject to standards adopted by the State Department, the State Director is also authorized to appoint and employ, with the approval of the Board, such other officers and employees as are authorized by this or other Acts as may be necessary to perform the duties placed upon the said Department by law, and the Board shall fix their compensation unless the General Assembly shall do so, but in no event shall the said Board expend any sums for purposes unauthorized by law. All such compensation shall be fixed by the said State Department which shall submit to the State Budget Commission all proposed salaries not fixed by law, and it shall be the duty of the Budget Commission to pass upon the said salaries so that the amounts paid shall be in keeping with the salaries paid to other state employees for similar service and duties. The said Board may require such officers and employees to furnish bonds in such amounts as it may determine. The selection of such officers and employees shall be made entirely upon the qualification and merit of the individuals so employed.

§ 6. State board submit budgets and reports—state department keep records—aim.—The Board shall have prepared and submit to the Governor and the General Assembly an annual budget, estimating the necessary funds for discharging the duties imposed upon the Department, after taking into consideration Federal funds which have been or may be allotted to the State for such purposes. The Board shall prepare and submit to the Governor and the General Assembly a full and detailed report of its activities and expenditures annually, including a statement of its personnel and the salaries paid, and shall likewise make such recommendations and suggestions as it shall deem advisable in the execution of its duties to the General Assembly. The Department shall keep proper records, including such as may be required by the Federal Government through its appropriate agency or instrumentality, and report such information and

data as required. The aim of the said Department shall be to promote the unified development of welfare activities and agencies of the State and local governments so that each agency and governmental institution may function as an integral part of a general system.

§ 7. County department of public welfare—county board of public welfare.—There is hereby created in each county of the State a County Department of Public Welfare, hereinafter referred to as the County Department, and in each county a County Board of Public Welfare, hereinafter referred to as the County Board, to be composed of three members, who shall be appointed by the State Board or the State Director upon the recommendation of a majority, including the Senator, of the County Legislative Delegation. The terms of the first members shall be so fixed that one will terminate each year for three years, and members appointed thereafter shall serve for three years and until their successors have been appointed and qualified. If at the end of forty days after the State Department notifies the respective county delegations to make such recommendations, any county delegation has not recommended a County Board of Public Welfare, the State Board shall have the authority to appoint a County Board for such county to serve for terms as provided in this Act. In case of a vacancy caused by death, removal, resignation or otherwise, the same shall be filled as herein provided but only for the unexpired term thereof.

§ 8. County board—duties and powers.—The respective County Boards shall act as the representatives of the State Department in administering such welfare activities within the county as are provided in this and subsequent Acts or as are directed and required by the said State Department when not otherwise provided for by law. Each of the said County Boards shall see that all laws are enforced for the protection and welfare of minors, the removal of moral menaces to the young, and to safeguard and promote the health, education and general welfare of minors. Subject to the rules and regulations of the State Department, each of the said County Boards may use any funds supplied to it by the county in which it operates for such purposes as may be directed by law, in addition to its other duties. Each County Board shall serve as the agent of the State Department in performance of such functions as the said State Department may delegate to it.

§ 9. County board—meetings—quorum—pay.—Immediately after their appointment the members of the respective County Boards shall meet and elect one of their members as Chairman.

Thereafter each said County Board shall meet not less than once a month on regular dates fixed by it unless the State Department shall designate other regular dates for the various County Board's meetings. Two members of each County Board shall constitute a quorum and may decide all matters. Unless otherwise provided by law, each County Board may adopt its own rules of procedure unless the State Department shall promulgate uniform rules for all County Boards to observe. Members of the County Boards shall receive mileage at the rate of five (5c) cents per mile for travel in attending the said meetings, and a per diem of three (\$3.00) dollars, the total per diem not to exceed one hundred twenty (\$120.00) dollars the first year or seventy-five (\$75.00) dollars in subsequent years.

§ 10.—County director—county board submit estimates of needs to state department.—Subject to the rules and regulations of the State Department, each County Board, shall select a Director, referred to herein as the County Director, to discharge the duties of such office. Salaries of County Directors shall be fixed by the State Department (not to exceed twelve hundred (\$1,200.00) dollars in any case) but County Boards may increase salaries paid their directors with any funds at their disposal other than supplied them through the State Department. In fixing the salaries of the various County Directors the State Department shall consider the individual qualifications of the respective directors and the possibilities of their individual positions. The County Director shall be the chief executive officer of the County Board electing him and perform such duties as are directed by the said Board, in conformity to the general policies of the State Department or as directed by this and subsequent Acts of the General Assembly. Each County Board shall submit to the State Department at such times as the latter shall require its estimate of the necessary administrative expenses and expenditures in the county which when approved by the State Department shall be authority for the County Board to engage such other agents and employees necessary in executing the duties and activities delegated to the said Board. All such agents and employees shall measure up to the standards fixed by the State Department as to education, training, fitness and experience in social work.

§ 11. County board submit budgets, keep records, and make reports.—Each County Board shall prepare and submit to the State Department, as required by the latter, an estimated budget for carrying out the duties and functions delegated to the said Board and

shall maintain an accurate record of its activities and all funds received and expended by it. It shall furnish such reports to the State Department as the latter shall require. Each County Board shall make an annual report of its activities, receipts and disbursements to each member of the county legislative delegation, to the foreman of the county Grand Jury, and to the Clerk of Court, who shall file the same in his office as a public record. Each County Board shall furnish such reports and data as may be required by the State Department or the Federal Government, through its appropriate agency or instrumentality, concerning conditions within its county, its activities and functions, and concerning the administration of funds received by it.

§ 12. Standards of work, procedure and records of county board.—The respective County Boards shall maintain such standards of work, procedure and records as are required by the State Department in the discharge of any functions or in the use of any funds provided by the said State Department.

§ 13. Funds for administration and expenses—unexpended funds.—Where funds are provided for different purposes, the State Department is authorized to allocate funds required for administration and expenses from each separate fund, upon a fair and proper proportion as between the various purposes. Any unexpended balance remaining to the credit of any fund at the end of any month, year, or other period, shall not revert to the State Treasury but shall remain in the respective fund subject to future use by the State Department for the purposes originally provided.

§ 14. Advisory councils.—The State Board may create a State Advisory Council of Public Welfare to consider and advise with the Department on its problems and the remedies therefor, said Council not to exceed fifteen members, and each County Board may likewise create similar county advisory councils, not to exceed five members. Members of such councils shall serve without expense or compensation.

PART 2. GENERAL PROVISIONS RELATING TO ADMINISTRATION OF ASSISTANCE

“§ 15. Applications for assistance—county department investigate.—Applications for assistance under the provisions of this Act shall be made as provided in the various parts hereof, and where no such provision has been made, in accordance with the manner

and form prescribed by the State Department. An investigation shall be made by the County Department, as provided in this Act, or as required by the State Department. The County Department shall have the power to issue subpoenas for witnesses and compel their attendance and the production of papers, records, and other data pertinent to a determination and granting of such assistance and the Director of each County Department and such employees as may be designated by such Director may administer oaths and examine witnesses under oath.

“§ 16. County department decide on applications and assistance—notify state department and applicant—pay assistance monthly.—Upon the completion of its investigation the County Department shall decide whether the applicant is eligible for assistance under the provisions of this Act, and determine the amount of such assistance and the date on which such assistance shall begin. In determining the amount of assistance, due account shall be taken of any income or property of the applicant and any support which he may receive from other sources. The County Department shall make a decision which shall be binding and be complied with until such decision is modified or vacated. The County Department shall certify its decision to the State Department and shall also notify the applicant of its decision in writing. Assistance, if granted, shall be paid monthly to the applicant by the State Department.

§ 17. State department review cases.—In the event an application is denied or the amount or terms of a grant or of any withdrawal or modification thereof be deemed inadequate or unjust by the applicant or recipient, the applicant or recipient or one acting in his behalf may demand a review of his case before the State Department by filing his written request for such review with such County Department of the State Department not more than sixty (60) days after notice of its action. The County Department shall, within ten (10) days, certify its records and data on the case, and such additional information as it deems relevant to the State Department, which Department shall promptly grant to the applicant or recipient an opportunity for a fair hearing upon the questions raised by the applicant or recipient. At this hearing any party in interest may appear and present any relevant facts. The State Department shall produce such further evidence as it may deem necessary and shall certify its findings and decision on the case back to the County Department concerned and such findings and award

shall thereupon become final and effective as of such date as the State Department shall fix. The State Department shall have the power to issue subpoenas for witnesses and compel their attendance and the production of papers and writings and the State Director and employees designated by him may administer oaths and examine witnesses under oath.

“§ 18. State department consider applications not acted on in reasonable time and review decisions of county departments.

—If an application is not acted upon by the County Department within a reasonable time after the filing of the application, the applicant may appeal to the State Department in the manner and form prescribed in Section 17 hereof. The State Department may also, and upon its own motion, or at the request of the applicant, review any decision of a County Department, and may consider any application upon which a decision has not been made by the County Department within a reasonable time. The State Department may make such additional investigation as it may deem necessary, and shall make such decision as to the granting of assistance and the amount of assistance to be granted the applicant as in its opinion is justified and in conformity with the provisions of this Act. All decisions of the State Department shall be binding upon the County Department involved and shall be complied with by such County Department. As to any action taken by the State Department under this section the State Department shall grant the applicant or recipient an opportunity for a fair hearing as provided under Section 17 of this Act.

“§ 19. County departments reconsider assistance grants.—All assistance grants made under this Act shall be reconsidered by the County Department as frequently as may be required by the rules of the State Department. After such further investigation as the County Department may deem necessary or the State Department may require, the amount of assistance may be changed or assistance may be entirely withdrawn if the State or County Departments find that the recipient's circumstances have altered sufficiently to warrant such action. The County Department may at any time cancel and revoke assistance for cause and it may for cause suspend assistance for such period as it may deem proper. Whenever assistance is thus withdrawn, revoked, suspended or in any way changed, the County Department shall at once report to the State Department such decision together with the record of its investiga-

tion. All such decisions shall be subject to appeal, review and hearing as provided in Section 17 of this Act.

“§ 20. Assistance payments exempt from taxes, levy, attachment, etc.—All amounts paid or payable as assistance shall be exempt from any tax levied by the State or any subdivision thereof and shall be exempt from levy and sale, attachment or any other process whatsoever and shall be inalienable and unassignable in advance in any form, and in the case of bankruptcy shall not pass to the trustee or other person acting on behalf of the creditors of the recipient of assistance.

“§ 21. Penalty obtain or attempt obtain assistance by fraud.—Any person who by means of a false statement, knowing it to be false, or willful misrepresentation or by impersonation or other fraudulent device obtains or attempts to obtain or aids or abets any person in obtaining assistance to which such person is not entitled or a larger amount of assistance than that to which he is justly entitled shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred (\$500-.00) dollars or imprisonment of not longer than one year, or both, in the discretion of the Court.

“§ 22. Records and accounts of county departments—report to state department.—The records and accounts of each county shall be maintained as prescribed by the State Department and shall be subject to inspection, supervision and audit by the State Department and in the same manner and with the same effect as now or hereafter may be provided by law for the examination of other public offices. The County Department shall, at such times as the State Department may require, make report to the State Department of all receipts and disbursements for assistance in such manner and upon such forms as the State Department may require.

“§ 23. State department supervise administration of assistance—forms—rules and regulations.—The State Department shall supervise the administration of assistance under this Act. The State Department shall prescribe the form of and print and supply to County Departments blanks of applications, reports, affidavits and other such forms as it may deem advisable. The State Department shall make rules and regulations necessary for the carrying out of the provisions of this Act to the end that assistance be administered uniformly throughout the State, having regard to the varying conditions in different parts of the State, and that the spirit and purpose of this

Act may be complied with. All such rules and regulations made by the State Department shall be binding upon the County Departments and shall be complied with by them.

“§ 24. Recipients report receipt of certain property—recover assistance improperly paid.—If at any time during the continuance of assistance the recipient thereof becomes possessed of any property or income in excess of the amount stated in the application provided for in this Act, it shall be the duty of the recipient immediately, to notify the County Department of the receipt or possession of such property or income and the County Department may, after investigation either cancel the assistance or alter the amount thereof in accordance with the circumstances. Any assistance improperly paid shall be recoverable by the State Department as a debt due to the State. Any action in this respect shall be subject to appeal, review and hearing as provided in Section 17 of this Act.

“§ 25. Death of recipient.—On the death of any recipient the total amount of assistance paid under the provisions of this Act shall be allowed as a debt due the public against the estate of such person, *Provided*, That any claim for necessary funeral expenses taking precedence against the recovery of such assistance shall not exceed one hundred (\$100.00) dollars. No claim shall be enforced against any real estate of a recipient while it is occupied by the surviving spouse. One-half ($1/2$) of the net amount collected by the State or any of its political subdivisions from a recipient of old age assistance, or from the estate of such a recipient, with respect to old age assistance furnished him under this Act shall be promptly paid to the United States.

“§ 26. Guardians represent certain recipients.—If an applicant or recipient shall be found by the County Department to be incapable of taking care of himself or his money, or if in the discretion of the County Department his interest will be best served, the State Department, or one designated by it, may apply to the Probate Court of the county in which such applicant or recipient lives for the appointment of a guardian, to whom the payments of assistance granted shall be made for the benefit of the applicant or recipient, and such guardian shall file a copy of his return with the County Department, as well as the Probate Judge, as now required by law, and such other reports as the said County Department shall require. *Provided*, that the respective Probate Judges shall perform all necessary duties in connection with such guardianship without charging any fees, costs or commissions.

“§ 27. Charge for representing applicant or recipient—public officers not influence decisions relating to assistance.—No person shall make any charge or receive any fee for representing the applicant or recipient of assistance in connection with the granting of any assistance provided for in this Act, except as to criminal proceedings and except upon appeal to the State Department, and then only in a reasonable amount and subject to the regulations of the State Department. Any public officer not charged with the administration of this Act who attempts to influence a decision of the County Department or State Department respecting the application of any person for assistance, or respecting the assistance to be paid or being paid, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine not exceeding five hundred (\$500.00) dollars or imprisonment not exceeding six (6) months, or both, in the discretion of the Court; *Provided*, this punishment shall not apply to the giving of information in writing within the personal knowledge of such officer.

“§ 28. Assistance subject to future acts—claim for assistance against state.—All assistance granted hereunder shall be deemed to be granted and to be held subject to the provisions of any amending or repealing Act that may hereafter be passed, and no recipient shall have any claim for compensation, or otherwise, by reason of his assistance being affected in any way by an amending or repealing Act; nor shall he have any claim against the State for any failure upon the part of the General Assembly in any year to appropriate sufficient funds to pay grants previously made.

“§ 29. Payment of salaries, expenses, and assistance—depositories for funds.—The State Board shall designate and authorize its proper officers and employees of the State Department to issue its requisition upon the Comptroller General for the payment of salaries or other expenses in the administration of this Act, who shall draw his warrant upon the State Treasurer as directed thereby and the State Treasurer shall pay the same by check or otherwise. In paying assistance granted to recipients in accordance with this Act, the State Department may include in one lump requisition the total amount it will require to meet monthly payments from the various funds set up under the provisions of this Act and disburse the said assistance to the individual beneficiaries by its own checks; *Provided*, that attached to such lump sum requisition shall be a list of the beneficiaries and the amounts for each making up the total requisitioned;

Provided, Further, that the State Board may select its depositories for such funds pending the clearing of assistance checks and require such security on such deposits as it shall deem practicable.

PART 3. ASSISTANCE TO AGED PERSONS IN NEED.

§ 30. Persons receive—amount limited.—Old age assistance shall be paid under this Act to any person who shall comply with the requirements of this Act and who: (a) Has attained the age of sixty-five (65) years; (b) is a citizen of the United States and has been a resident of the State of South Carolina for at least five (5) years within the nine (9) years immediately preceding his application for old age assistance; (c) has resided in the State for at least one (1) year immediately preceding the date of the application; (d) has no income or has income which, when added to the contributions in money, subsistence or service from relatives or from any other source, is inadequate to provide a reasonable subsistence; *Provided, However,* That where an applicant for assistance has an income of two hundred forty (\$240.00) dollars, or more annually, no assistance shall be granted or allowed, nor shall any assistance to any individual exceed two hundred forty (\$240.00) dollars annually; (e) has not directly or indirectly disposed or deprived himself of any property for the purpose of qualifying for the benefits of this Act; (f) is not an inmate of any public institution at the time of receiving assistance; *Provided, However,* that any such inmate may apply for such assistance.

§ 31. County department determine amount.—It shall be the duty of the State Department to provide a reasonable subsistence compatible with decency and health to each person eligible for old age assistance under the provisions of this Act. The amount of such assistance shall, subject to rules, regulations and standards of the State Department be determined by the County Department with due regard to the conditions existing in each case and subject to the other provisions of this Act.

§ 32. Application—county department investigate.—Application for assistance to aged persons under this Act shall be made to the County Department of the county in which the applicant resides. The application shall be in writing or reduced to writing in the manner and upon the form prescribed by the State Department. Such application shall contain a statement of the amount of property, both personal and real, in which the applicant has an

interest and of all income which he may have at the time of the filing of the application, and such other information as may be prescribed by the State Department. An investigation and record shall be promptly made by the County Department of the circumstances of the applicant. The object of such investigation shall be to ascertain the facts supporting the application made under this Act and such other information as may be required by the rules of the State Department.

§ 33. Appropriations—deposit—use.—The Treasurer of the State of South Carolina is hereby authorized and directed to receive and deposit in the State Treasury any Federal funds allotted to the State under Section 3 of title one of the Federal Social Security Act and the sum of seventy-three thousand three hundred and thirty-three dollars and thirty-three (\$73,333.33) cents is hereby appropriated from the general funds of the State Treasury immediately upon this Act going into effect and an additional seventy-three thousand three hundred and thirty-three dollars and thirty-three (\$73,333.33) cents upon the first day of each month subsequent thereto. The foregoing sums shall be kept by the State Treasurer in an Old Age Assistance Account, and shall be used by the State Department to defray the administrative expense of and to pay the assistance provided for herein.

PART 4. AID TO DEPENDENT CHILDREN.

§ 34. Definitions—state department cooperate with federal government.—For the purpose set forth herein, the term “dependent child” means a child under the age of sixteen (16) years who has been deprived of parental support or care by reason of the death, continued absence from home, or physical or mental incapacity of a parent, and who is living with his or her father, mother, grandfather, grand-mother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place or residence maintained by one or more of such relatives as his or her own home, and if not granted aid is likely to become a public charge or who would otherwise be deprived of proper support, care or training. (b) The term “aid to dependent children” means money payments with respect to a dependent child or dependent children. The State Department shall administer all funds appropriated or made available for this purpose. It shall be empowered to cooperate with the Federal Gov-

ernment in the development of plans and policies for aid to dependent children.

§ 35. Application.—Any person having knowledge that any child is dependent and that the interest of such child or of the public requires that such child be granted aid may bring such fact to the attention of the County Department in the county where the dependent child has residence, or to the State Department by making application for aid on such blanks as the State Department shall prescribe and supply, furnishing such information as is required thereon and is necessary for the proper administration of these purposes.

§ 36. County department investigate—report—children receive aid—appeal.—The County Department shall make an investigation and examination of the circumstances of such child. Such investigation and examination shall be made in accordance with rules prescribed by the State Department. A report of such investigation and examination shall be made in writing and shall become a part of the records of the County Department. If such child is found to be in need and to have resided in the State for one year immediately preceding the application for such aid or to have been born within the State within one year preceding the application, and whose mother has resided in the State one year immediately preceding the birth of said child, the County Department shall grant such aid as may be necessary for the support of such child in its own home or in the home of one of its relatives as set forth in this Act, in a manner compatible with decency and health. In case application for aid for a dependent child is rejected by the County Department, appeal may be made to the State Department as elsewhere provided in this Act.

§ 37. County department make estimate.—Each County Department shall prepare, as required by the State Department, an estimate of the amount needed for dependent children in its county. Such estimate shall set forth the number of children being aided, with the amounts of grants to each individual child and such information or data as is necessary for the State Department to estimate the probable increase or decrease during the next ensuing period. A copy of such estimates from the various county departments shall be furnished each member of the Legislative Delegation of the respective counties.

§ 38. Amount aid grant.—In granting aid for dependent children the amount granted shall not exceed fifteen (\$15.00) dollars per month for one child in any home, nor ten (\$10.00) dollars for each additional child in the same home.

§ 39. Appropriations—deposit—use.—The Treasurer of the State of South Carolina is hereby authorized and directed to receive and deposit in the State Treasury any Federal funds allotted to the State under Section 403 of Title 4 of the Federal Social Security Act, or otherwise, for aid to dependent children. The sum of thirty thousand (\$30,000.00) dollars is hereby appropriated from the general funds of the State Treasury immediately upon this Act going into effect and upon the first of each month subsequent thereto. The foregoing funds shall be kept by the State Treasurer in a Dependent Children's Aid Account and shall be used by the State Department to defray necessary administrative expenses and to pay the assistance provided for herein.

PART 5. AID TO NEEDY BLIND.

§ 40. Persons receive.—The State Department shall grant assistance in the form of money payments, to blind persons in need who (a) have no vision or whose vision with correcting glasses is so defective as to prevent the performance of ordinary activities for which eyesight is essential (b) is unable to provide himself with the necessities of life, has insufficient means of his own for proper support and has no relative or other person able to provide and legally responsible for his maintenance or willing to provide therefor. (c) Has resided in this State for five (5) years during the nine (9) years immediately preceding the date of the application and who has resided in this State continuously for one year immediately preceding the date of application, or who has suffered loss of sight while a resident of this State or who was blind and a resident of this State at the time of the passage of this Act.

§ 41. County department determine amount.—The amount of assistance which any such person shall receive shall be determined by the County Department, after making such investigation as is necessary or required by the State Department with due regard to the resources and necessary expenditures and the conditions existing in each case and shall be sufficient, when added to other income and support of the recipient, to provide such person with a reasonable subsistence compatible with decency and health, not to exceed three hundred (\$300.00) dollars in any year, payable in such monthly installments as the County Department may determine, subject to the approval of the State Department.

§ 42. Examine.—The State Department shall designate the procedure to be followed and select the oculist to conduct competent

medical examination for determining the blindness of applicant for assistance and pay for such examinations. No application shall be approved for assistance until the applicant has been examined. Any recipient of assistance shall submit to re-examination as to his eyesight when required to do so and furnish any information required by the State Department.

§ 43. Provide surgical operation or medical treatment.—If upon examination or re-examination it shall be found that a recipient or claimant for relief may have such disability benefitted or removed by proper surgical operation or medical treatment, the State Department may authorize the expenditure for such operation or treatment and expense incident thereto a sum equivalent to the relief which they may be entitled to for one (1) year under the provisions of this Act; *Provided*, that if such person refuses to permit such operation or treatment the State Board may refuse, discontinue or reduce the assistance requested or being received.

§ 44. Recipients not publicly solicit alms.—No recipient of assistance under this Act shall publicly solicit alms in any part of the State and the violation of this prohibition shall be grounds to discontinue or reduce such assistance. The term "publicly solicit" shall be construed to include the wearing, carrying or exhibiting of signs denoting blindness, the carrying of receptacles for the receipt of alms, or the doing of the same by proxy or by begging from house to house.

§ 45. Register of the blind—work prevent blindness and aid blind persons.—The State Department shall cause to be compiled and maintained a complete register of the blind in this State, which shall describe the condition, cause of blindness and capacity for education and industrial training with such other facts as may seem to the Department to be of value. The State Department may develop or cooperate with other agencies in developing measures for preventing blindness, the restoration of eyesight and vocational adjustment of blind persons.

§ 46. Appropriations—deposit—use.—The Treasurer of the State of South Carolina is hereby authorized and directed to receive and deposit in the State Treasury any Federal Funds allotted to the State under Section 1003 of Title ten (10) of the Federal Social Security Act, or subsequent Federal Acts for the purposes of providing such assistance and the sum of five thousand (\$5,000.00) dollars is hereby appropriated from the general funds of the State Treasury immediately upon this Act going into effect, and an ad-

ditional similar sum upon the first day of each month subsequent thereto and the foregoing sums shall be kept by the State Treasurer in an Aid to Needy Blind Account and shall be used by the State Department to defray the administrative expenses and to pay the assistance provided for herein.

§ 47. Advisory council.—The State Board shall appoint an Advisory Council which shall consist of five (5) members, of whom one at least shall by preference be a blind person. The appointments of initial members shall be for terms ranging from one (1) to five (5) years so that the term of one (1) member shall expire annually, but subsequent appointees shall serve for five (5) years and until their successors have been appointed and qualified. The Advisory Council shall meet not less than once in each quarter, or more often upon the request of the State Board, and the members of the said Council shall be paid their expenses in attending such meetings. The State Board shall provide such personnel and pay such necessary administrative expenses as it deems adequate for the said Advisory Council to perform the duties herein assigned to it.

§ 48. Duties and powers of advisory council.—The Advisory Council provided for in Section 47 shall advise and consult with the State Board in connection with the administration of assistance to the needy blind, and in addition, under the direction of and with the approval of the State Department, shall plan, supervise and carry out the following activities.

(a) Inquire into the causes of blindness, inaugurate and cooperate in preventative measures, and provide for the examination and treatment of the eyes of the blind or those threatened with blindness for the benefit of such persons, and shall pay therefor including necessary incidental expenses. (b) Aid the blind in finding employment, teaching them trades and occupations within their capacities, assist them in disposing of products made by them in home industries and do such things as will contribute to the efficiency of self-support of the blind, (c) Undertake such other activities as may ameliorate the condition of blind citizens of this State, and (d) Receive monies by gift or bequest for any of the purposes herein set out, but without the authority to bind the State of South Carolina to any expenditure or policy except as may be specifically authorized by law.

§ 49. Appropriation for treatment and training of the blind.—There is hereby appropriated from the General Funds of the State for each fiscal year beginning with the fiscal year starting July 1, 1937, the sum of twenty thousand (\$20,000.00) dollars, which

shall be kept by the State Treasurer as a Fund for the Treatment and Training of the Blind. This fund shall be used by the Advisory Council set up under Section 47 to carry out the particular purposes assigned to it but such plans and expenditures of the Advisory Council shall be subject to the approval of the State Board, and the State Board shall authorize its proper officers and employees to issue its requisitions upon the Comptroller General for any funds from the said fund, who shall draw his warrant upon the State Treasurer as directed thereby and the State Treasurer shall pay the same by check or otherwise.

PART 6. ASSISTANCE FOR OTHER HANDICAPPED AND UNFORTUNATE PERSONS.

§ 50. Appropriations for general relief.—To assist the respective counties of the State in rendering assistance to other handicapped and unfortunate persons in need and to prevent suffering, distress and need among persons not otherwise provided for in this Act, there is hereby appropriated from the General Funds of the State Treasury for the Fiscal year beginning July 1, 1937, the sum of two hundred thousand (\$200,000.00) dollars and a similar amount for each succeeding Fiscal year, which shall constitute a Fund to Match County Expenditures for General Relief, which Fund shall be apportioned by the State Department to the various counties of the State as herein provided.

§ 51. Persons receive.—Any county which appropriates and makes available from its own funds a sum of money for the care and support of persons who are not eligible for other forms of assistance provided in this Act, and who are unable to support themselves because of physical or mental infirmity and who would suffer unless so provided for, shall be entitled to receive assistance from the State Fund provided for in Section 50. A recipient of such assistance from the respective counties must be unable to provide himself with the necessities of life, have insufficient means of his own for proper support and have no relative or other person able to provide and legally responsible for his maintenance or willing to provide therefor.

§ 52. Match county funds with state funds—exception.—All County Funds for General Relief or Assistance shall be matched by an equal amount of State funds, from the amount made available in Section 50 herein, within the limits herein prescribed, except that the State Board may decline to fully match the funds contributed

by any County if such is necessary, in the judgment of the State Board, to provide an equitable distribution of State funds among the counties in proportion to the existing needs, from time to time, as determined by the State Board.

§ 53. Payments to counties.—In paying to counties from the fund provided for in Section 50, the State Department shall authorize its proper officers to issue its requisitions upon the Comptroller General for such payments and the said Comptroller General shall draw his warrant upon the State Treasurer, as directed thereby and the State Treasurer shall pay the same by check or otherwise.

§ 54. Application—investigate.—Application for assistance under Part 6 of this Act shall be made to the County Department of the County in which the applicant resides. The application shall be in writing or reduced to writing in the manner and upon a form prescribed by the State Department. Whenever the County Department receives an application for assistance under Part 6 of this Act, an investigation and record shall promptly be made of the circumstances of the applicant in order to ascertain the facts supporting the application, and in order to obtain such other information as may be required by the rules of the State Department. The investigation shall include a visit to the home of the applicant.

§ 55. County department decide if applicant eligible—amount.—Upon the completion of the investigation the County Department shall decide whether the applicant is eligible for assistance under the provisions of Part 6 of this Act. The amount of assistance which any person shall receive shall be determined by the County Department with due regard to the resources and necessary expenditures of each case, and the conditions existing in each case in accordance with the rules and regulations made by the State Department and shall be sufficient when added to all other income and support of the applicant to provide such person with a reasonable subsistence compatible with decency and health. In no case shall more than one hundred and twenty (\$120.00) dollars per year be granted to any individual recipient from State Funds provided a County, and the total assistance to any recipient, including both State and County funds shall not exceed three hundred and sixty (\$360.00) dollars in any year.

§ 56. County director file claims for recipients—payment.—From the General Relief Fund of any County the Public Welfare Board of such county is authorized to grant assistance or relief to needy persons as described in Section 51. Claims for such

payments from the General Relief Fund of any county shall be filed by the County Director on behalf of such needy persons, as other claims against county funds are filed, and the same shall be paid by the respective County Treasurers out of the General Relief Funds of their respective counties as other claims against the counties are paid, but no County Director shall file any claim for any recipient except those which have been previously approved by the Public Welfare Board of such County.

§ 57. Administration of relief grants from general relief funds of counties.—The State Department as a condition precedent to any county receiving a share of State funds provided in Section 50 may require that the assistance or Relief Grants from the General Relief Funds of any such county be administered in accordance with such rules and regulations as are prescribed by the State Department, with the approval of the State Board, so that the general principles and policies prescribed in this Act in the granting of assistance be observed as far as applicable to expenditures from the General Relief Funds of the respective counties.

PART 7. GENERAL PROVISIONS.

§ 58. Temporary department of public welfare turn over funds, records, etc., to state department—such temporary department abolished—payment of appropriations.—As soon as practicable after its election and organization the State Board shall notify the Temporary Department of Public Welfare that it is prepared to carry out the assistance program in this State, whereupon the said Temporary Department of Public Welfare shall turn over to the State Department all monies, property, records, equipment and other possessions, and the said Temporary Department of Public Welfare shall be abolished from and after that date. The initial appropriations of money from the State Treasury for the various purposes of this Act shall be available to the State Board and the State Department immediately upon the approval of this Act, but the subsequent appropriations provided for on the first of each subsequent month shall not be provided until and unless the said State Board certifies to the State Treasurer that it has been organized and is ready to assume the duties and make the payments as provided herein to needy persons.

§ 59. State department cooperate with federal government in administration of certain child welfare services.—The State Department shall have the power to cooperate with the Federal Govern-

ment, its agencies or instrumentalities in the administration of child welfare services as provided in Title five (5), part 3, of the Federal Social Security Act relative to establishing, extending and strengthening services for the protection and care of homeless, dependent and neglected children and children in danger of becoming delinquent in predominantly rural areas and other areas of special need, and to receive and expend all funds made available to the department by the Federal Government, the State or its political subdivisions for such purposes.

§ 60. Officials and employees residents.—All officials and employees engaged under the provisions of this Act shall have *been* residents of this State for at least one year immediately preceding such employment or for at least three years out of the preceding five years.

§ 61. State department investigate certain agencies.—The State Department shall have the authority to make investigations into the administration and affairs of any institution or agency, public or private, in this State concerned with the care, custody or training of persons or the handling of problems of delinquency, dependency or defectiveness.

§ 62. State department approve charters for charitable organizations and amendments to such existing charters.—Before issuing a charter for the incorporation of any Charitable organization the Secretary of State shall forward a copy of the petition, together with such other information in his possession pertaining to the proposed corporation, to the State Department and no charter for any such corporation shall be issued unless the State Board shall first certify to the Secretary of State that it has investigated the merits of the proposed charitable corporation and recommends the issuance thereof; applications for amendment of any existing charter shall be similarly referred and shall be granted only upon similar approval.

§ 63. Invalidity.—It is hereby declared to be the Legislative intent that if any part, section, paragraph, word or phrase of this Act shall be held to be unconstitutional the remaining provisions shall be given full force and effect as completely as if the said part, section, paragraph, word or phrase so held unconstitutional had not been included herein.

§ 64. Repeal.—All Acts or parts of Acts in conflict with any of the provisions of this Act or duplicating the functions hereof, or any part of them, are hereby expressly repealed.

§ 65. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 13th day of May, 1937.

(562)

No. 320.

AN ACT to Amend Section 5 of an Act Entitled "An Act to Amend Section 2869, Volume II, Code of Laws of South Carolina, 1932, Relative to Collection of Delinquent Taxes in Chester County, and to Confer Upon the Tax Collector of Chester County the Power and Duty to Levy Upon and Sell Real Estate Against Which Tax Executions are Now or Hereafter Issued; and to Fix the Fees and Charges Allowed the Tax Collector for Said County; and to Transfer the Powers and Duties of the Sheriff of Said County in Regard Thereto", Known as Act No. 677 of the Acts of 1934, so as to Provide for Giving Notice to Delinquent Taxpayers, and to Fix the Compensation Therefor.

Section 1. § 2869, 1932 Code, amended—tax collector notify delinquent taxpayers of tax executions, Chester County—fee—payment.—Be it enacted by the General Assembly of the State of South Carolina: That Section 5 of an Act entitled "An Act to Amend Section 2869, Volume II, Code of Laws of South Carolina, 1932, Relative To Collection of Delinquent Taxes in Chester County, and to Confer Upon the Tax Collector of Chester County the Power and Duty to Levy Upon and Sell Real Estate Against which Tax Executions are Now or Hereafter, Issued; and to Fix the Fees and Charges allowed the Tax Collector for said County; and to Transfer the Powers and Duties of the Sheriff of said County in Regard Thereto", known as Act No. 677 of the Acts of 1934, be, and the same is hereby, amended by adding at the end of said Section the following proviso: "*Provided, That the Tax Collector shall, within thirty days after any execution for the collection of delinquent taxes has been placed in his hands for service, notify in writing, either delivered in person, or mailed to the last known address of the delinquent taxpayer, of the amount of such taxes, costs and fees, properly itemized; and that no mileage or fees for serving the execution shall be charged the delinquent taxpayer if he pays such delinquent taxes and other costs within ten days after receiving the*

said notice, if delivered in person, or within ten days after the date of mailing the notice. If the delinquent taxpayer shall, within ten days, fail to pay the Tax Collector his delinquent taxes, the Tax Collector shall be entitled to the execution fee and actual mileage: *Provided, Further,* That the Tax Collector shall be allowed to charge the delinquent taxpayer four (4¢) cents for giving such delinquent taxpayer the notice provided herein", so that when so amended, the said Section shall read as follows:

"Section 5: That the Tax Collector for Chester County shall take from such defaulting taxpayer against whom a tax execution has been issued the following fees in the execution of his office: For serving each warrant \$1.00, besides mileage, at the rate of 5¢ for each mile actually traveled, in executing the warrant, together with 25¢ for entry; and for all sums collected under execution, whether before or after levying same, 5%; for advertising sale 25¢; for making sale and executing deed of conveyance and putting the purchaser in possession \$3.00; and the Tax Collector is prohibited from taking or collecting any greater sum therefor than is hereby allowed; neither the Tax Collector nor the County Treasurer, shall receive fees upon nulla bona returns, or fees or commission upon the land purchased by the Chester County Forfeited Land Commission: *Provided,* That the Tax Collector shall, within thirty days after any execution for the collection of delinquent taxes has been placed in his hands for service, notify in writing, either delivered in person, or mailed to the last known address of the delinquent taxpayer, of the amount of such taxes, costs and fees, properly itemized; and that no mileage or fees for serving the execution shall be charged the delinquent taxpayer if he pays such delinquent taxes and other costs within ten days after receiving the said notice, if delivered in person, or within ten days after the date of mailing the notice. If the delinquent taxpayer shall, within ten days, fail to pay the Tax Collector his delinquent taxes, the Tax Collector shall be entitled to the execution fee and actual mileage: *Provided, Further,* That the Tax Collector shall be allowed to charge the delinquent taxpayer four (4¢) cents for giving such delinquent taxpayer the notice provided herein. *Provided, Further,* That if the Tax Collector cannot ascertain the last known address of the delinquent taxpayer from the tax returns in the Auditor's office or from any other source after a reasonably diligent search, then the Tax Collector shall not be required to give said notice.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(563)

No. 321.

AN ACT to Provide for a County Board of Education in Lancaster County to Have the Financial, Executive, Administrative and Clerical Control of the Schools in Lancaster County; to Provide for the Appointment of Members of Said Board, Prescribe Their Qualification and Terms of Office; Provide for Their Per Diem Allowances; to Provide for the Employment and Qualifications of the Superintendent of Schools of Said County, and the Selection of the Trustees and Teachers of Said Schools and Require Said Board to Operate and Maintain the County Library of Said County.

Section 1. County board of education, Lancaster County—appointment—duties and powers—terms—vacancy—time terms of incumbents end—office of superintendent of education abolished—superintendent of schools.—Be it enacted by the General Assembly of the State of South Carolina: That the financial, executive, administrative and clerical control of the schools of Lancaster County shall be vested in a County Board of Education consisting of five (5) members, who shall be selected by the Lancaster County Legislative Delegation in the General Assembly, or a majority thereof, including the Senator, *Provided*, That the fifth member of the Board shall be the County Superintendent of Education until the expiration of the present term of office of the present incumbent, who, during this period, shall be Chairman of the said Board. The regular terms of office of the members of the said Board shall be for four (4) years, and until their successors shall have been appointed and qualified. *Provided*, That the initial terms of the four (4) members, who are to be immediately selected by the Legislative Delegation, as provided above, shall be for periods of one, two, three and four years, respectively, and until their successors shall have been appointed and qualified. The lengths of the terms of office of the members first appointed herein shall be designated by the Delegation in the order of appointment. The appointees shall be notified in writing by the Delegation and notice of their appoint-

ment shall be filed in the office of the Clerk of Court of Lancaster County and in the office of the Superintendent of Education and thereafter in the office of the Superintendent of Schools, when the same comes into existence under the terms of this Act. The terms of office of the present members of the County Board of Education are declared at an end when the members provided for in this Act shall have been appointed. The said Board shall have authority to elect a Secretary who may, or may not, be a member of the Board. Upon the expiration of the term of office of the present Superintendent of Education, that office is abolished. During the period while the present Superintendent of Education is a member of the Board, the Board may, in its discretion, employ a Superintendent of Schools, whose duties shall be prescribed by the County Board of Education, to fix his term of office and his compensation, but when the present Superintendent of Education is no longer a member of the Board, it is made the duty of the said Board to employ a Superintendent of schools, to fix the length of the term of this office, which shall be for not more than two years, and to prescribe his duties and fix his compensation. *Provided*, That the Superintendent of Schools appointed under the provisions of this Section shall be a graduate of a Standard A-Grade College or University, as defined by the Association of Colleges and Secondary Schools of the Southern States or by the State Department of Education, and shall have successful experience in school administration. *Provided, Further*, That at the expiration of the term of office of the present Superintendent of Education of Lancaster County, another member of the Board hereinabove provided for, shall be appointed in the same manner as the members of the initial Board, and for a period of four (4) years, so that said Board shall continue with five (5) members. In the event of any vacancy occurring on said Board for any reason, said vacancy shall be filled as is provided for herein for the election of members of the initial Board.

§ 2. Compensation.—*Provided*, That no member of the Board of Education shall receive a salary as a regular employee of the public Schools of Lancaster County, but shall receive a per diem as may be provided in the annual Supply Bill of said County.

§ 3. Include in budget sum for Lancaster County library.—The Board of Education shall include in its annual budget such a sum as may be necessary to operate and maintain and purchase books for the present Lancaster County Library.

§ 4. **Supplement salaries of superintendents, principals and teachers.**—The County Board of Education shall have authority to supplement the salaries of superintendents, principals and teachers in the public schools of Lancaster County in such amounts as they may see fit, *Provided*, That, should the total amounts exceed Twenty-Five Hundred (\$2,500.00) Dollars per annum, such increase shall have the approval of a majority of the Legislative Delegation, including the Senator.

§ 5. **Meetings—quorum.**—The Board of Education shall meet at least once each month, and shall have additional meetings as often as may be necessary, and shall meet upon the request of any two members. Three members shall constitute a quorum.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(565)

No. 322.

AN ACT to Create Dunbarton Grammar School District of Barnwell County, and Provide for Its Management, Maintenance and Control.

Whereas, by the terms of an Act approved March 19, 1927, being Act No. 298, Dunbarton School District No. 12, Meyers Mill School District No. 54, Columbia School District No. 43, Upper Richland School District No. 26, a portion of Sand Hill School District No. 37, in Barnwell County, and Joyce Branch School District No. 52, all of Barnwell County, were declared a body politic and authorized to establish a central high school in the town of Dunbarton; and,

Whereas, that portion of Sand Hill School District No. 37 in Barnwell County was subsequently consolidated with Columbia School District No. 43 and became a part thereof so that Columbia School District No. 43 now embraces all of said district, as formerly outlined and all of Sand Hill School District No. 37 that lies in Barnwell County; and

Whereas, Meyers Mill School District No. 54, Columbia School District No. 43, as at present constituted, Upper Richland School District No. 26 and the Joyce Branch School District No. 52 have no elementary school for white children; *Now, therefore*,

Section 1. Dunbarton Grammar School District, Barnwell County—establish central grammar school—powers.—Be it enacted by the General Assembly of the State of South Carolina: That Dunbarton School District No. 12, Meyers Mill School District No. 54, Columbia School District No. 43, Upper Richland School District No. 26, and Joyce Branch School District No. 52, all of Barnwell County, are hereby declared to be one Grammar School District and a body corporate; and the Trustees thereof, hereby provided for, are authorized and directed to establish a Central Grammar School for said five (5) school districts in the town of Dunbarton and the Grammar School District so established, shall be entitled to all of the privileges and benefits of elementary, or grammar, schools, approved and accredited by the State Board of Education, And it shall be known and designated as Dunbarton Grammar School District.

§ 2. Trustees—terms—officers.—The Board of Trustees for Dunbarton Grammar School District, hereby established, shall consist of the present several Boards of Trustees of the school district constituting the Dunbarton Grammar School Districts, and shall serve for the present term of office of each member, and until his successor shall have been appointed, or elected, and shall qualify. Each of the five (5) school districts will be entitled to one (1) vote, and the Board of Trustees of Dunbarton School District shall, within thirty (30) days after the approval of this Act, meet and organize by electing a Chairman and a Secretary-Treasurer; each of whom shall serve for a period of one year.

§ 3. Trustees—appointment—election.—The Trustees of the several Boards constituting the Board of Dunbarton Grammar School District, shall be elected and appointed, as now provided for each of the five (5) several districts named in Section 1 hereof.

§ 4. Tax levy support and maintain grammar school.—There shall be levied and collected annually by the proper officers (if so much be necessary to raise the sum that three (3) mills will produce) three (3) mills on all taxable property in Dunbarton Grammar School District, for the support and maintenance of its grammar school, said funds to be credited to the Board of Trustees of said Grammar School District.

§ 5. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(568)

No. 323.

AN ACT to Amend Section 8952, Code of Laws of South Carolina, 1932, as Heretofore Amended, Relating to the Appointment of Nonresidents as Executors by Adding a Proviso with Reference to the Release of Sureties on the Bonds of Such Non-resident Executors.

Section 1. § 8952, 1932 Code, amended—release of sureties on bonds of nonresident executors.—Be it enacted by the General Assembly of the State of South Carolina: That Section 8952, Code of Laws of South Carolina, 1932, as heretofore amended, be, and the same is hereby, further amended by adding a proviso thereto relating to the release of sureties on the bonds of nonresident executors, so that said section, when so amended, shall read as follows:

“Section 8952. No letters testamentary, letters of guardianship, or appointment of committee shall be granted or issued to any non-resident individual by the Probate Judge or Courts of Common Pleas of this State, unless such applicant for such appointment as Administrator, Guardian, or Committee shall first enter into and file approved fiduciary bond in same manner, upon the same conditions, in the same sum, and with like surety as is required by law with respect to resident Administrators, Guardians and Committees, nor unless such applicant for such appointment shall first file with the Probate Judge or Clerk of Court of Common Pleas where such application for appointment is made, his or its consent in writing, that service of all claims, demands, debts, dues, summons and any other process of pleadings, in suits or actions, relating to the administration of estate in his or its charge in this State, by service of the same upon such resident of said County as may be appointed, in such written instrument, and in the event of the death, removal, resignation, absence from the State, or any other inability to obtain service upon said agent named in said written instrument, or any successor named by similar instrument filed with the Probate Judge or Clerk of Court of Common Pleas, then upon the Probate Judge or Clerk of Court of Common Pleas of said County, provided that nothing herein contained shall require a non-resident trustee named as such trustee under a will executed at the time when such trustee is a non-resident to give bond or make reports to the Probate Courts or the Courts of Common Pleas, in South Carolina, or shall prevent an Executor in administering an estate from paying any legacy

so directed under the will to such foreign trustee. *Provided*, that no corporation created by another State of the United States or by any foreign State, kingdom or government shall be eligible or entitled to qualify or serve in this State as Executor, Administrator, Guardian, or Committee of the estate of any person domiciled in this State at the time of his death, whether or not the said decedent shall die testate or intestate.

Provided, That this Section shall not apply to any estate in process of administration May 11, 1935.

Provided, further, That in all cases where letters testamentary are issued, or have been issued, to a non-resident, who, at the time of the execution of the will or codicil, appointing him as such executor, was a non-resident of the State of South Carolina, and the will did not require of such executor the giving of a bond or other security, then and in every such case, the Probate Court having jurisdiction may, in its discretion, at any time after the end of twelve months from the commencement of such administration, should the estate then not be fully distributed, release the surety upon such bond, provided, it then be made to appear that all debts of said estate have been settled and discharged, and it further then be made to appear that such personal representative has fully and properly accounted for his acts up to the time of such release, and has within this State all assets of the estate with which he or she is then chargeable."

And *Provided, Further*, that nothing contained herein shall operate or be construed to release the surety or sureties upon the bond of the executor from any liability incurred prior to the release herein provided for.

And, *Provided, Further*, that all beneficiaries under such will are duly made parties to the proceeding for such release, to the end that their rights and interests may be fully protected by the Court.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 14th day of May, 1937.

(569)

No. 324.

AN ACT to Amend Sub-section 1 of Section 2827, Volume II, Code of Laws of South Carolina, 1932, by Adding at the End Thereof a Proviso Whereby County Funds may be Deposited in State Bank Banks and Depositories Without Security Being Given for Same.

Section 1. § 2827, 1932 Code, amended—county funds deposit without security in state depositories and banks, Williamsburg County.—Be it enacted by the General Assembly of the State of South Carolina: That Sub-section 1 of Section 2827, Volue 11, Code of Laws of South Carolina, 1932, be and the same is hereby amended by adding at the end thereof the following:

“Provided, Furtehr, that said funds may be deposited in any State depository located in the County without the aforesaid security being given for same, if not more than five thousand (\$5,000.00) dollars is deposited in any one such depository; the said funds may likewise be deposited in any bank in the County without the aforesaid security being given, in an amount equal to but not in excess of the combined capital stock and surplus of any such bank”, so that when so amended said Sub-section 1, shall read as follows:

“Section 2827 (1) All public funds of the County of Williamsburg shall be deposited by the custodian or custodians of such public fund or funds in the several banks or banking institutions within the said County; *Provided,* That the banks receiving such fund or funds for deposit shall execute a bond, either personal or indemnity, or pledge sufficient collateral as security conditioned to pay the County of Williamsburg any sum or sums, together with interest, loss or damage, that may be suffered by the County of Williamsburg by reason of the failure of said banks or banking institutions, or refusal of said banks or banking institutions to keep the said funds safely and pay the same with any accrued interest; such security either in a personal or indemnity bond or collateral shall be approved by the County commissioners and the County attorney of said County, and County supervisor. *Provided, Further,* that said funds may be deposited in any State depository located in the County without the aforesaid security being given for same, if not more than five thousand (\$5,000.00) dollars is deposited in any one such depository; the said funds may likewise be deposited in any bank in the County without the aforesaid security being given, in an amount equal to

but not in excess of the combined capital stock and surplus of any such bank. *Provided, Further*, That said depositories, banks, and banking institutions are members of the Federal Deposit Insurance Corporation."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 14th day of May, 1937.

(571)

No. 325.

AN ACT to Amend Section 7 of an Act Entitled "An Act to Amend Section 7 of an Act Entitled an Act to Provide for the Establishment of a New School District in Abbeville County Etc., and Designated as Act No. 976 of the Acts of the General Assembly for the Year 1934, so as to Further Define the Duties of the Board of School Trustees.

Section 1. Act 976, 1934 Acts, amended—invest funds in banks of custodian in real estate securities, New School District, Abbeville County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 7 of an Act entitled "An Act to Amend Section 7 of an Act entitled an Act to provide for the establishment of a new School District in Abbeville County etc.," and designated as Act No. 976 of the Acts of the General Assembly of the State of South Carolina for the year 1934, be amended by adding the words "and real estate securities", so that when so amended the said Section shall read as follows:

That for the purpose of paying the principal and interest on said bonds when due, it shall be the duty of the County Auditor of the County of Abbeville, or such other officer or officers as may be charged with the assessment of taxes, to compute annually the amount necessary to be raised, and to levy the same upon the real and personal property in said school district, and the amount so levied shall be collected by the County Treasurer of Abbeville County and held by him for the purpose of paying the said interest or principal, if any be due, and shall be used for no other purpose whatever; *Provided*, That the Board of Trustees in regular session shall elect one of its members, or one person within the school district, who shall be known as custodian of said school district who shall receipt and collect all

such amounts in such capacity. The said custodian shall be directly responsible to the Board of Trustees of said school district and the said custodian shall never pay out any of the said funds, either for investment or otherwise, except with the approval of at least five (5) members of the Board of Trustees in regular constituted session. The said custodian, with the approval of at least five (5) members of the Board of Trustees, shall be charged with the duty of investing and keeping invested, in municipal bonds or other bonds, and real estate securities, such amounts as shall come into his hands, and the minutes of the Board of Trustees shall show all transactions of the Board. The custodian with such approval shall keep the funds invested at all times until the bonds of the said school district shall mature and shall then, under order of the Board of Trustees, apply the same to the payment of the bonded indebtedness of said school district, or such portion thereof, as the Board of Trustees may designate: *Provided, However,* That bonds of said school district shall be given preference at all times, and when purchased shall be immediately cancelled.

Provided, Further, upon election and before assuming office the said custodian shall file a surety bond covering his liability in the sum of ten thousand (\$10,000.00) dollars, such bond to be increased according to the amount of funds in the sinking fund: *Provided, Further,* That the custodian of all papers, securities and evidences of indebtedness pertaining to said funds, and such papers, securities and evidences of indebtedness shall be deposited with a bank designated by the Board of Trustees to be withdrawn at any time upon the signature of a majority of the Board of Trustees.

§ 2. Audit books of custodian—present statement time elect trustees.—All books of accounts of the custodian shall be audited by the Board of Trustees, or any person designated by the Board of Trustees, at least once a year, and a condensed statement shall be filed with the Clerk of the Board for the information of the general public. A statement to be compiled by the Clerk of the Board and presented at the time of the election of such trustees.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 14th day of May, 1937.

(572)

No. 326.

AN ACT to Further Provide for the Observance of the Sabbath Day or Sunday; to Prohibit the Employment of a Regular Employee, as Herein Defined, or the Permitting of Such Regular Employee to Work in or About Any Textile Manufacturing, Finishing, Dyeing, Printing and Processing Plant on the Sabbath Day or Sunday, Except Only in Case of Absolute Necessity or Emergency, and Then Only on Condition that Such Employee be Paid on Basis of One and One-half Wage or Salary, and to Provide Punishment for Violations.

Section 1. Not employ regular employees or permit regular employees work in or about textile manufacturing, finishing, dyeing, printing and processing plant on Sunday—exception—pay when work.—Be it enacted by the General Assembly of the State of South Carolina: After the approval of this Act, it shall be unlawful for any person, firm, association or corporation owning or controlling or operating any textile manufacturing, finishing, dyeing, printing and processing plant within the State of South Carolina, to request or require or permit any regular employee to do or exercise or perform any of the usual or ordinary worldly labor or work in, of, about or connected with such employee's regular occupation or calling or any part thereof, in or about such textile manufacturing, finishing, dyeing, printing and processing plant on the Sabbath Day, commonly called Sunday, work of absolute necessity or emergency alone excepted, and then only upon condition that such employee be paid on the basis of one and one-half the amount of the usual average day wage or salary earned by such employee during other days of the week.

§ 2. Regular employee defined.—The term "regular employee" shall be construed to mean any person who usually or ordinarily works as much as twenty hours per week or more, in such textile manufacturing, finishing, dyeing, printing and processing plant, and whether employed and paid by the job or by the piece or by the hour or on a salary basis.

§ 3. Penalty.—Any person, firm, association or corporation violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than One Hundred (\$100.00) Dollars nor more than One Thousand (\$1,000.00) Dollars.

§ 4. **Repeal—cumulative.**—All Acts or parts of Acts inconsistent with this Act are hereby repealed, but the purpose and intent of this Act is that it shall be in addition to and not construed as a repeal of other existing law providing for the observance of the Sabbath Day or Sunday.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 14th day of May, 1937.

(550)

No. 327.

AN ACT to Authorize and Empower the Clerk of Court for Spartanburg County to Destroy Obsolete Papers in His Office.

Section 1. Clerk of court destroy obsolete papers, Spartanburg County.—Be it enacted by the General Assembly of the State of South Carolina: The Clerk of Court of Spartanburg County is hereby authorized and empowered in his discretion to destroy obsolete vouchers, claims and other useless papers now in his office.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(538)

No. 328.

AN ACT to Establish the Location of a Section of U. S. Highway 501 in Horry County.

Section 1. Location of U. S. highway 501 between Waccamaw River at Conway and Gallivants Ferry.—Be it enacted by the General Assembly of the State of South Carolina: The location or relocation of U. S. Highway 501 between the Waccamaw River at Conway and the Marion County Line at Gallivants Ferry, in Horry County, is hereby established to follow such route as the State Highway Department may determine.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(549)

No. 329.

AN ACT to Require the Board of Registration for Spartanburg County to Designate on Its Records and the Certificate of Registration the School District in Which the Registrant Resides.

Section 1. Board of registration designate school district registrant resides on its records and certificate of registration, Spartanburg County.—Be it enacted by the General Assembly of the State of South Carolina: From and after the passage of this Act the Board of Registration for the County of Spartanburg shall designate the School District in which each registrant resides on its records and the certificate of registration.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(526)

No. 330.

AN ACT to Exempt the Masonic Home in Florence, S. C., from County, Municipal and School Taxes.

Section 1. Masonic home, city of Florence, exempt from taxes, Florence County.—Be it enacted by the General Assembly of the State of South Carolina: That the Masonic Home, situate on the southeast corner of McQueen and Cheeves Streets, in the City of Florence, S. C., be exempted from all County, Municipal and School taxes when, and so long as, such property is used by the Masonic Lodge for fraternal and business meetings, and when no part thereof is used for revenue.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(574)

No. 331.

AN ACT to Amend Sections 1469, 1471 and 1475 of the Code of Laws of South Carolina of 1932, so as to Prohibit the Employment of Persons Under the Age of Sixteen (16) Years Under Certain Conditions, to Regulate the Same and to Provide for the Enforcement Thereof.

Section 1. § 1469, 1932 Code, amended—not employ minors under age of sixteen years—exceptions.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1469, Code of Laws of South Carolina, 1932, be, and the same is hereby, amended by striking out all of said Section and inserting in lieu thereof the following, so that when so amended said Section shall read as follows:

“Section 1469. No minor under the age of sixteen years shall be employed in any factory, mine or textile establishment in this State. Nor shall any such minor be employed in any other gainful occupation: *Provided*, That minors under sixteen years of age may be employed outside of school hours and during school vacation, but not in a factory, mine or textile establishment, or in any occupation otherwise prohibited by law: And, *Provided, Further*, That no such minor shall be permitted to work before the hour of 5:00 A. M., or after the hour of 8:00 P. M. Nothing in this Section shall be construed to apply to the work of a minor in domestic service, in private homes, or in farm work.”

§ 2. § 1471, 1932 Code, amended—penalty employ minor contrary to provisions—each day separate offense.—That Section 1471, Code of Laws of South Carolina, 1932, be, and the same is hereby amended by striking out all of said section and inserting in lieu thereof the following, so that when so amended said section shall read as follows:

“Section 1471. Any person who shall knowingly employ any minor contrary to the provisions herein, shall be guilty of a misdemeanor, and for every such offense shall, upon conviction thereof, be fined not less than ten dollars nor more than fifty dollars, or be imprisoned not longer than thirty days, at the discretion of the Court. Each day during which any violation of any of the Sections of this Chapter prohibiting the employment of minors under sixteen years of age continues shall constitute a separate and distinct offense, and the employment of any minor in violation of this Chapter shall, with

respect to each minor so employed, constitute a separate and distinct offense."

§ 3. § 1475, 1932 Code, amended—**commissioner of labor and agents of department of labor enforce provisions relating to employment of minors.**—That Section 1475, Code of Laws of South Carolina, 1932, be and the same is hereby amended by striking out all of said section and inserting in lieu thereof the following, so that when so amended said section shall read as follows:

"Section 1475. It shall be the duty of the Commissioner of Labor and the inspectors and agents of the Department of Labor to enforce the provisions of law relating to the employment of minors and to make complaints against persons violating its provisions and to institute prosecutions for violation of the same. The Commissioner of Labor and the inspectors and agents of the Department of Labor shall have authority to enter and inspect at any time, any place or establishment where minors are employed, and to have access to all such records as may aid in the enforcement of this Act."

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 14th day of May, 1937.

(576)

No. 332.

AN ACT to Amend an Act Entitled "An Act to Amend Section 6587, 6589 and 6592, Volume 3, Code of Laws of South Carolina, 1932, Pertaining to the Labeling of Concentrated Commercial Feeding Stuff, so as to Eliminate Therefrom Carbohydrates", Known as Act No. 851 of the Acts of 1936, so as to Provide that No Tags or Cards Shall be Fastened to Bags Containing Commercial Feed Stuff by Metal Holders.

Section 1. § 6592, 1932 Code, amended—not fasten tags or cards to bags containing commercial feed stuff by metal holders.—Be it enacted by the General Assembly of the State of South Carolina: That Section 6592 of an Act entitled "An Act to Amend Sections 6587, 6589, and 6592, Volume 3, Code of Laws of South Carolina, 1932, Pertaining to the Labeling of Concentrated Feeding Stuff, so as to Eliminate Therefrom Carbohydrates", known as Act No. 851 of the Acts of 1936, be, and the same is hereby amended by add-

ing on line 12 of said Section 6592 after the word "paid", the following:

"Provided, However, no tags, cards or descriptive matter shall be fastened to bags containing commercial feed stuff including all sacked cotton seed meal and hulls by metal holders"; so that said Section when so amended shall read as follows:

"Section 6592: Each and every manufacturer, importer, jobber, agent or seller of any concentrated commercial feeding stuff, as defined in Section 6588, shall pay to the Commissioner of Agriculture, Commerce and Industries, who shall deposit same in the State Treasury on or before the tenth day of each month, as other funds, an inspection tax of 25 cents per ton for each ton of such commercial feeding stuff, offered or exposed for sale or distribution in this State, and shall affix to, or accompany each car shipped in bulk and to each bag, barrel or other package of such concentrated commercial feeding stuff, a stamp to be furnished by the Commissioner of Agriculture, Commerce and Industries, stating that all charges specified in this Section have been paid: *Provided, However,* no tags, cards or descriptive matter shall be fastened to bags containing commercial feed stuff including all sacked cotton seed meal and hulls by metal holders: *Provided,* Whenever, any concentrated commercial feeding stuff, as defined in Section 6588, is kept for sale in bulk, stored in bins or otherwise, the manufacturer, dealer, jobber or importer keeping the same for sale shall keep on cards of proper size, upon which the statement or statements in Section 6587 is, or are plainly printed; and if the feeding stuff is sold at retail in bulk, or if it is put up in packages belonging to the purchaser, the manufacturer, dealer, jobber or importer shall furnish the purchaser with one of said cards upon which is, or are printed the statement, or statements, described in this Section, together with sufficient tax stamps to cover same: *Provided,* That the inspection tax of 25 cents per ton shall not apply to whole seeds and grains when not mixed with other seeds or materials: *Provided, Further,* That upon demand said inspection stamps shall be redeemed by the department issuing said stamps upon surrender of same, accompanied by an affidavit that the same have not been used: *Provided,* That nothing in this article shall be construed to restrict or prohibit the sale of concentrated commercial feeding stuff in bulk to each other by importers, manufacturers or manipulators who mix concentrated commercial feeding stuff for sale; but importers, manufacturers and manipulators shall attach to such

feeding stuff a tag stating that it is to be used for mixing purposes only, and this tag shall give the number of pounds in bulk or package, the name of the manufacturer, the name of the stuff and its analysis, showing crude protein, crude fat, and crude fiber, and a duplicate of said tag shall be sent to the Commissioner of Agriculture, Commerce and Industries, together with a request for inspection. The Commissioner of Agriculture, Commerce and Industries is hereby empowered to prescribe the form of such tag stamps."

§ 2. Repeal—not offer for sale seeds treated with poisons destined for manufacture into feed stuffs.—All Acts or parts of Act inconsistent herewith are hereby repealed. *Provided, Further*, that on and after the passage of this Act it shall be unlawful for any person, firm or corporation to offer for sale any seeds which have been treated with poisons if destined to be manufactured into feed stuffs.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 14th day of May, 1937.

(577)

No. 333.

AN ACT to Exempt for a Period of Five (5) Years New Rural Electrification Lines or Additions to, or Extensions of Existing Lines, from Payment of Taxes in Lancaster, Beaufort, Union, Chester and Kershaw Counties.

Section 1. Rural electrification lines, and extensions and additions, exempt from taxes, Beaufort, Chester, Kershaw, Lancaster, and Union Counties.—Be it enacted by the General Assembly of the State of South Carolina: In order to induce the building and construction of rural electrification lines in Lancaster, Beaufort, Union, Chester and Kershaw Counties, all such lines, as well as additions to, or extensions of existing lines are hereby exempted from the payment of county, municipal and school district taxes for a period of five (5) years from the date of the construction, or addition to or extension thereof. It is declared that the exemption of such properties from the payment of such taxes serves a municipal purpose in that it will operate to increase the taxable property, as well as the value thereof, in the municipal area referred to, and thereby tend to lighten the burden of the present taxpayers in said area.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 14th day of May, 1937.

(578)

No. 334.

AN ACT to Amend Section I of Act No. 102 of the Acts of the General Assembly, 1933, as Amended by Act No. 788 of the Acts of the General Assembly of 1934, with Reference to the Amount of Taxes Which May be Levied in Greer School District No. 9-H, Greenville County.

Section 1. Act 102, 1933 Acts, amended—taxes levy, Greer School District No. 9-H, Greenville County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of an Act entitled “An Act to Further Define the Method of Levying Special Taxes for School Purposes in Greenville County, Etc.,” approved March 13, 1933, and designated as Act No. 102 of the Acts of that year, as amended by an Act entitled “An Act to Amend an Act ‘Entitled An Act to Further Define the Method of Levying Special Taxes for School Purposes in Greenville County, Etc.,’” approved March 19, 1934 and designated as Act No. 788 of the Acts of that year, be, and the same is, hereby amended by striking out the words “twenty-two” in the last proviso of that Section and by inserting in lieu thereof the words “twenty-seven”, so that, when so amended, Section 1 shall read as follows:

“Section 1: From and after the approval of this Act no special tax to supplement the present school taxes in Greenville County or in any school district within said county shall be levied pursuant to the provisions of Section 5356, Code of Laws of South Carolina, 1932, or any Acts amendatory thereof, unless and until a majority of the resident electors within any such school district in Greenville County, and a like proportion of the resident freeholders of the age of twenty-one (21) years, file a petition with the County Board of Education of said county asking for the same and stating the rate of tax levy proposed and when such petition has been filed an election shall be held pursuant to the provisions of Section 5356, Code of Laws of South Carolina, 1932, at which election only such electors as return real or personal property for taxation and who

exhibit their tax receipts and registration certificate, as required in General Elections, shall be allowed to vote: *Provided*, That in Greer School District No. 9-H, Greenville County, the Board of Trustees of such School District is authorized and empowered to levy such special tax when the amount thereof does not exceed twenty-seven mills, without any of the foregoing requirements."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 14th day of May, 1937.

(590)

No. 335.

AN ACT to Require Owners of Certain Property in Greenville County to Make Connections with Sewer Lines.

Section 1. Owners of certain property connect with sewer lines and install necessary fixtures, Greenville County.—Be it enacted by the General Assembly of the State of South Carolina: That it shall be the duty of every owner of real estate adjoining any street or roadway within Greenville County, and upon which there is now, or may hereafter be, a building in which persons live, or are engaged at work, and which is now, or hereafter may be, provided with a sewer and water pipe, to make proper connections with such sewer within ninety days after the approval of this Act, or within ninety days after the said sewer and water lines have been installed, as the case may be and, in cases where the building is constructed after the approval of this Act, in ninety days after the completion thereof, and to install necessary fixtures in the way of closets, urinals or slop sinks to accommodate the number of people residing or employed on said premises. If any such owner shall fail or neglect to comply with the foregoing provisions within such time limit, it shall be the duty of the Greenville County Health Commission to give notice in writing to said owner that such connection must be made and necessary fixtures provided within thirty days from date of said notice. The commissioner of Health shall also have the right to require such connections to be made and such fixtures provided where such real estate does not join, but is within three hundred (300) feet of some street or roadway. Any owner of such real estate who shall fail or neglect to make the aforesaid connections and

installations within the time herein specified, shall, on conviction, be punished by a fine of not more than one hundred (\$100.00) dollars, or by imprisonment for not more than thirty days.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 14th day of May, 1937.

(591)

No. 336.

AN ACT to Amend an Act Entitled "An Act to Create the Office of Tax Collector in Allendale County, to Provide for the Appointment and Compensation of Such Officer and to Define His Duties", Approved April 18th, 1936 by Further Defining the Duties and Powers of the Said Tax Collector, by Fixing the Amount of His Official Bond.

Section 1. Act 771, 1936 Acts, amended—tax collector, Allendale County—bond—duties and powers—sheriff turn over tax executions to.—Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled "An Act to Create the Office of Tax Collector in Allendale County, to Provide for the Appointment and Compensation of Such Officer and to Define His Duties", approved April 18th, 1936, be, and the same is hereby amended as follows:

(a) By striking the words and figures "three thousand (\$3,000.00) dollars" from Section 2 of said Act and inserting in lieu thereof the words and figures "five thousand (\$5,000.00) dollars"; so that said Section when so amended shall read as follows:

"Section 2: The salary of the Tax Collector shall be one hundred and twenty-five (\$125.00) dollars per month, payable monthly, and in addition he shall be allowed his traveling expenses not to exceed in the aggregate the sum of three hundred (\$300.00) dollars per annum, which shall be paid by order of the County Board of Commissioners upon an itemized and verified claim, not exceeding in any month ten per cent (10%) of the total allowance for the year. Before taking office the Tax Collector of the said County shall give bond in the sum of five thousand (\$5,000.00) dollars, conditioned for the faithful performance of his duties and in the usual form. The premium of said bond shall be paid by the County Treasurer on the

warrant of the County Board of Commissioners. The Tax Collector may call on the Sheriff of the County and any constable in the County to render him such aid and assistance as may be necessary, which shall be rendered without other costs than those now provided by law, in the ejectment of any occupant or tenant in possession of any property at any time when ejectment shall be lawful and proper in the discharge of his duty as such officer."

(b) Amend further by striking the whole of Section 3 of the said Act and inserting in lieu thereof the following Section to be known as Section 3 of said Act:

"Section 3: The County Treasurer for Allendale County shall issue all tax executions for delinquent taxes to the tax collector and the penalties now or hereafter provided by law, when collected by the tax collector, shall be paid over to the treasurer; and the tax collector is prohibited from charging, receiving or demanding any costs, commissions or expenses for himself from any taxpayer."

(c) By striking the whole of Section 5 of said Act and inserting in lieu thereof the following to be known as Section 5 of said Act:

"Section 5: The Tax Collector shall keep a complete record of all tax executions turned over to him and shall list them in the tax execution books which shall show the amount of said tax, the name of the taxpayer, a statement of the property against which the execution is issued, the execution number, school district and township, and the date and amount of any payments thereon. He shall on the first and fifteenth day of each month make a sworn and itemized report of all collections to the County Treasurer, filing a copy thereof with the County Auditor and shall pay over to the Treasurer the amount of all collections made by him. All executions found, after investigation, to be uncollectible shall be reported to the County Treasurer and the County Auditor who are authorized to enter such as 'nulla bona', provided the tax collector shall state in writing the reasons for failure to collect and the County Treasurer and the County Auditor shall approve the same before 'nulla bona' shall be entered."

(d) By striking Section 6 of said Act and inserting in lieu thereof the following to be known as Section 6:

"Section 6: All powers, duties and authority heretofore vested in the Sheriff as to the collection of delinquent taxes, seizure and sale of property therefor, and delivery of possession thereof and the execution and delivery of deeds to the same, are hereby conferred upon the tax collector."

(e) By striking out Section 9 of said Act and inserting in lieu thereof the following to be known as Section 9:

"Section 9: On or before May 15th, 1937 the Sheriff shall turn over to the Tax Collector all tax executions in his hands together with such information concerning the same that shall be desirable or necessary to aid the tax collector in the performance of his duties hereunder."

§ 2. **Assistants.**—The tax collector may employ assistants in such number, for such lengths of time, and at such compensation as the Legislative Delegation, in their discretion, may approve.

§ 3. **Office.**—That the Tax Collector for Allendale County shall be provided with a separate office and the County Commissioners shall make such provisions for securing an office for the said Tax Collector.

§ 3-A. **Execution fee—collection—disposition.**—The usual one dollar (\$1.00) execution fee heretofore collected by the sheriff of Allendale County from tax executions placed with him for collection, shall be collected by the Tax Collector and by him turned over to the County Treasurer to be deposited in the General Fund of the County.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 14th day of May, 1937.

(592)

No. 337.

AN ACT to Amend Section 2527 of the Code of Laws of South Carolina, 1932, as Amended by Act No. 273 of the Acts of the General Assembly of South Carolina, 1935, Entitled "An Act to Amend Sub-section (h) of Sub-section 5 of Section 2527, Volue 2, Code of Laws of South Carolina, 1932, so as to Provide that There Shall be No Business License Tax on the Sales of Crystallized and/or Glazed Cherries, Pineapple or Other Fruits", Approved May 11, 1935, so as to Eliminate from the Provisions Thereof the Provisions of Sub-section (h) Relative to License Tax on the Sale of Candy.

Section 1. § 2527, 1932 Code, amended—subsection (h) eliminated, license tax on candy.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2527 of the

Code of Laws of South Carolina, 1932, as amended by Act No. 273 of the Acts of the General Assembly of South Carolina, 1935, entitled "An Act to Amend Sub-section (h) of Sub-section 5 of Section 2527, Volume 2, Code of Laws of South Carolina, 1932, so as to Provide That There Shall be no Business License Tax on the Sales of Crystallized and/or Glazed Cherries, Pineapple or Other Fruits", approved May 11, 1935, be, and the same is, hereby amended by striking out the following set out as Sub-section (h) of said Section as amended as aforesaid, to-wit:

"(h) Upon all candy retailing at fifty (50¢) cents per pound and above, one (\$0.01) cent for each ten cents or fraction of the retail price: *Provided*, That individual factory-wrapped packages of candy retailing for ten (10¢) cents, or less shall not be taxable: *Provided*, That candy as used herein shall not be construed to include crystallized and/or glazed cherries, crystallized and/or glazed pineapple or other crystallized and/or glazed fruits when used for cooking purposes."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of May, 1937.

(593)

No. 338.

AN ACT Prescribing the Formalities of Execution of Contracts of Membership Agreements Between Persons, Firms, or Corporations and Prescribing the Terms Thereof with Cotton Co-operative Associations; to Provide for the Termination of All Existing Agreements in Such Associations, and to Provide a Penalty for Violation of the Provisions Thereof.

Section 1. When contract of membership with cotton cooperative associations executed—existing contracts ended.—Be it enacted by the General Assembly of the State of South Carolina: That, from and after the passage of this Act a person, firm or corporation shall become a member of a cotton cooperative association organized and/or domesticated under the laws of the State of South Carolina only when the membership contract shall be in duplicate, and shall state the time of the duration of such contract, signed both by the member and the association. The signature of any person on a draft

or check containing conditions which purport to make a person a member of a cotton cooperative association as a prerequisite to obtaining money on any draft or check given to him for any cotton which he has sold or pledged to any cotton cooperative association shall not be construed as making such person a member of the association, even though he has signed or endorsed the check or draft. That all contracts or membership agreement whereby any persons, firms or corporations are now members of, or affiliated with any cotton cooperative association or associations organized or domesticated under the laws of the State of South Carolina shall, and the same are hereby declared ended and all legal liability hereafter shall cease from and after the passage of this Act.

§ 1-A. Penalty.—Any person, firm or Corporation violating any terms of this Act shall be declared guilty of misdemeanor and, upon conviction, punished by fine not less than \$100.00 and not more than \$1,000.00, or by imprisonment of a period of not less than thirty days or not more than six months, or both, in the discretion of the Court. Each violation for any provisions of this Act shall be deemed separate offenses.

§ 1-B. Invalidity.—If any provisions of this Act, or the application of such provision to any person, firm, corporation, or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to such person, firm, corporation or circumstance, other than those as to which it is held invalid, shall not be affected thereby.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

AN ACT to Provide for the Construction of Buildings at Certain State Educational Institutions and for the Payment, with Interest, of Certain Certificates of Indebtedness of the State, and for These Purposes to Authorize the Issuance of Evidences of Indebtedness of the State, and to Appropriate and Provide for the Disposition of a Certain Portion of the Income Tax; and to Replace Revenue Available for School Purposes Under Existing Laws by Amending Section 6, of

Act No. 232, Acts of 1935, Entitled "An Act to Define Alcoholic and Non-Alcoholic and Non-Intoxicating Beverages; Etc.," by Changing the Rate of Tax Provided Therein and Thereby Provide Supplementary Revenue for School Purposes.

ARTICLE I.

Institutional Buildings—Funds Authorized For

Section 1. Governor and state treasurer issue state certificates of indebtedness and notes finance construction of buildings at Clemson Agricultural College, University of South Carolina, Winthrop College, The Citadel, and Colored Normal Industrial Agricultural and Mechanical College of South Carolina—amount.—Be it enacted by the General Assembly of the State of South Carolina: For the purpose of financing the construction of buildings at certain institutions of higher learning hereinafter named and carrying out the provisions of this Act, the Governor and the State Treasurer are hereby authorized to issue State Certificates of Indebtedness and Notes upon the conditions prescribed in this Act. The aggregate amount of said Certificates of Indebtedness shall not exceed One Million Three Hundred Fifty Thousand (\$1,350,000.00) Dollars.

§ 2. Circumstances and conditions borrow therefor and issue notes.—The Governor and the State Treasurer are hereby authorized to borrow money and to execute and issue notes of the State for the same in the following circumstances and under the following conditions:

(a) For anticipating the sale of any said State Certificates of Indebtedness, if said officers deem it advisable to postpone the Issuance of such State Certificates of Indebtedness;

(b) For the payment of maturing interest or principal of any of said State Certificates of Indebtedness then outstanding, if there shall not be sufficient available funds in the State Treasury with which to pay such interest or principal as they respectively fall due;

(c) For the renewal of any loan evidenced by any Notes herein authorized;

§ 3. Use of proceeds.—The proceeds of the sale of such State Certificates of Indebtedness and of Notes issued in anticipation of the sale of such State Certificates of Indebtedness, shall be used only for the construction of buildings at the institutions of higher learning as provided for in this Act, or for the purpose of paying

Notes, including interest, issued under this Act, or for the purpose of paying expenses incident to the sale of said State Certificates of Indebtedness or Notes as provided for in this Act.

§ 4. Execution—form.—All State Certificates of Indebtedness and Notes issued under this Act shall be signed by the Governor and the State Treasurer. The great seal of the State shall be affixed to or impressed upon such State Certificates of Indebtedness and attested by the Secretary of State. The coupons attached to the said State Certificates of Indebtedness or Notes shall be authenticated by a facsimile signature of the State Treasurer who is in office on the date of such State Certificates of Indebtedness. The delivery of the Certificates of Indebtedness or Notes so executed shall be valid notwithstanding any changes in officers or seal occurring after such execution. The Certificates of Indebtedness and Notes shall be issued in such form and denomination and with such provisions as to time, place or places, and medium of payment as may be determined by the Governor and State Treasurer, subject to the provisions of this Act.

§ 5. Negotiable—register.—The Certificates of Indebtedness issued under this Act shall be issued as negotiable coupon certificates, payable to bearer, with the privilege to the holder of having them registered in his name on the books of the State Treasurer as to principal only or as to both principal and interest, and such principal or both principal and interest, as the case may be, thus made payable to the registered holder, subject to such conditions as the State Treasurer may prescribe. The Certificates of Indebtedness so registered as to principal in the name of the holder may thereafter be registered as payable to bearer and made payable accordingly.

§ 6. Denominations—interest—maturities—redemption.—The said Certificates of Indebtedness shall be of the denomination of One Thousand (\$1,000.00) Dollars each. They shall bear interest, payable semi-annually, at a rate not exceeding four per cent (4%) per annum. Each separate issue of said Certificates of Indebtedness shall mature in substantially equal annual series or installments, the first of which annual series or installments shall mature not more than two (2) years after the date of the Certificates of Indebtedness, and the last not more than fifteen (15) years after said date. The said Certificates of Indebtedness may, in the discretion of the State Treasurer, be made subject to call and redemption at par and accrued interest on any interest payment date thereafter, prior to the maturity

of said Certificates of Indebtedness. The said Certificates of Indebtedness shall not be redeemable before maturity unless they contain a statement to that effect. Notes issued under this Act shall mature within one (1) year after their date.

§ 7. Sale.—The said Certificates of Indebtedness and/or Notes shall be sold by the Governor and the State Treasurer upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale in a newspaper of general circulation in the State of South Carolina, and also in a financial paper published in New York City, which regularly publish notices of sale of State or municipal bonds. The said Certificates of Indebtedness shall be awarded to the highest bidder at a price not less than par and accrued interest to the date of delivery, but the right shall be reserved to reject all bids and to readvertise the Certificates of Indebtedness for sale. For the purpose of bringing about a successful sale of said Certificates of Indebtedness and Notes issued in anticipation of the sale thereof the Governor and the State Treasurer shall have the power to do all things ordinarily and customarily done in connection with the sale of State or municipal bonds. Out of the proceeds of the sale of said Certificates of Indebtedness and of Notes issued in anticipation of the sale of said Certificates of Indebtedness there shall be paid all expenses incident to the sale of said Certificates of Indebtedness or Notes, including all expenses of procuring assistance and opinion of attorneys, and other expenses.

§ 8. Exempt from taxes.—All Certificates of Indebtedness and Notes issued under this Act shall be exempt from all state, county, municipal, school district and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

§ 9. Invest certain funds in.—It shall be lawful for all executors, administrators, guardians and fiduciaries and all sinking fund commissions to invest any money in their hands in said Certificates of Indebtedness and Notes.

§ 10. Institutions receive funds—buildings construct and equip.—The proceeds of the sale of said certificates of Indebtedness and Notes issued in anticipation of the sale of said Certificates of Indebtedness shall be received by the State Treasurer and placed by him in a special fund to the credit of the State Institutions of higher

learning given below to be used by them to construct and equip certain buildings at their respective institutions as follows:

(a) Clemson Agricultural College, a textile building .	\$ 300,000.00
(b) University of South Carolina, a library and/or Administration Building	\$ 325,000.00
(c) Winthrop College, an auditorium and/or class- room building	\$ 350,000.00
(d) The Citadel, a barracks	\$ 300,000.00
(e) Colored Normal Industrial Agricultural and Mechanical College of South Carolina, a dormi- tory and/or Library	\$ 75,000.00
Total	\$ 1,350,000.00

The above amounts are hereby specifically appropriated to the institutions named in this section to be expended exclusively by them for the construction and equipping of said buildings, and the said buildings shall be erected at the various institutions on the respective property of each.

§ 11. Funds use pay.—From and after the effective date of this Act so much of the revenue derived from the income tax imposed, levied, collected and paid pursuant to the provisions of Sections 2435 to 2479, inclusive, Volume 11, Code of Laws of South Carolina of 1932, as amended, as may be necessary to pay the principal and interest of the Certificates of Indebtedness authorized by this Act as they respectively become due is hereby specifically appropriated, and irrevocably pledged, for the purposes of this Act. On or before the thirtieth day of June of each fiscal year the State Treasurer shall set aside from the proceeds of the said income tax a sum of money sufficient to meet all principal and interest payments which will mature under the provisions of this Act during the next ensuing fiscal year.

§ 12. Pledge pay.—The full faith, credit and taxing power of the State are hereby pledged for the payment of the principal and interest of the State Certificates of Indebtedness and Notes authorized by this Act.

§ 13. Revenue in section 11 sufficient pay.—For the purposes of Article 1 of this Act it is hereby determined and found that the revenue referred to in Section 11 of said Article is and will be sufficient to pay all State Certificates of Indebtedness authorized

herein, both as to principal and interest, as they respectively become due.

ARTICLE II

Alcoholic Liquors—Tax Levied and Appropriated

Section 1. Act 232, 1935 Acts, amended—license tax on alcoholic liquors increased—distribution.—That Section 6, of Act No. 232, approved the 14th day of May, 1935, be amended by striking out all of said Section 6, and inserting in lieu thereof the following to be known and designated as Section 6:

“Section 6: Every person doing business within the State of South Carolina and engaging in the business of selling alcoholic liquors, except distillers thereof, for the privilege of carrying on such business, shall be subject to the further payment of a license tax which shall be measured and graduated in accordance with the volume of sales of such business. There shall be levied, assessed, collected and paid in respect to the alcoholic liquors referred to in this Act, the following amounts:

Upon each eight (8) ounces, or a fractional quantity thereof, six (6¢) cents.

The tax herein levied shall be paid by affixing stamps on each bottle or container of alcoholic beverages. The said stamps shall be cancelled by writing or printing thereon the name of the person, firm or corporation first having possession of same in South Carolina for resale within the State, and such other data as required by the Tax Commission. In case a bottle is enclosed in a sealed metal container, the Tax Commission, in its discretion, may allow the affixing of the required stamps to the metal container instead of to the bottle. The stamps shall be affixed to the bottle or container immediately upon receipt of the alcoholic liquor contained therein, or immediately upon the alcoholic liquors being bottled: *Provided*, That when stamps have been once affixed as provided in this Act, no other or further stamps shall be required, regardless of how often such alcoholic liquors may be sold or resold within the State: *Provided, Further*, That the stamps shall be affixed in such manner that their removal will require continued application of steam or water. Every licensee, upon receipt of a shipment of alcoholic liquors for sale within the State of South Carolina, under the provisions of this Act, shall within twenty-four hours after receiving the same, and before it is offered for sale, furnish to the Tax Commission a true

invoice of the alcoholic beverages so received. Wholesale dealers having in possession any alcoholic liquors intended for shipment to any place without the State shall keep such alcoholic liquors in a separate compartment from that of liquors intended for sale within the State, so that the same may be easily inspected, and shall attach to each package of alcoholic liquors so intended for shipment without the State a stamp denoting that the same is not intended for sale within the State. When such alcoholic liquors are so kept and so stamped with a special stamp no tax on account thereof shall be charged. For defraying the expenses thereof the tax Commission shall charge for every such stamp the sum of twenty-five (25¢) cents. All wholesalers shall furnish to the Tax Commission duplicate copies of all invoices for the sale of alcoholic beverages within twenty-four (24) hours after such alcoholic beverages have been removed from the wholesaler's place of business; *Provided, Further,* That the taxes herein levied shall be distributed as follows: Eighty cents (80¢) tax per gallon shall be distributed as provided in Act No. 329 of the Acts of 1935, and the remaining sixteen cents (16¢) tax per gallon shall be paid to the State Treasurer for credit to the Special School Account."

ARTICLE III

General Provisions

Section 1. Such institutions accept gifts aid in constructing and equipping buildings.—That the Boards of Trustees or other Governing Body of the respective institutions are hereby authorized to accept any gifts or grants in money, labor, equipment and/or material that will aid in the construction and equipping of said buildings at their respective institutions.

§ 2. Invalidity.—If any article, section or provision of this Act shall be held unconstitutional, such unconstitutionality shall not affect, impair or invalidate any of the remaining articles, sections or provisions.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 18th day of May, 1937.

(596)

No. 340.

AN ACT to Repeal Sections 6353-6362 Inclusive, Code of Laws of South Carolina, 1932, and to Authorize and to Define the Duties and Powers of the Commissioner of Labor respecting Arbitration and Conciliation of Industrial Disputes, and to Provide for Certain Expenses.

Section 1. §§ 6353-6362, 1932 Code, repealed—board of conciliation—duties devolved.—Be it enacted by the General Assembly of the State of South Carolina: That the Code of Laws, 1932, Sections 6353 through 6362 are hereby repealed, and the duties thereof are hereby devolved upon the Commissioner of Labor or his agent and/or agents.

§ 2. Commissioner of labor and his agents investigate industrial disputes, strikes and lockouts—duties.—The duties of the Commissioner of Labor or his agent, and/or agents shall be to investigate industrial disputes, or strikes or lockouts arising between employer and employees, or capital and labor; to ascertain, as near as may be, the cause or causes of such industrial disputes or strikes or lockouts; to make a finding of fact in respect thereto; to endeavor, as far as possible, to induce both sides to such an industrial dispute or strike or lockout to arrive at an agreement; and to remove misunderstandings of differences.

§ 3. Commissioner of labor appoint committee act if his efforts fail.—Be it further enacted that when the said Commissioner of Labor or his agent, and/or agents shall fail to induce both sides to such an industrial dispute or strike or lockout to arrive at an agreement, then the said Commissioner of Labor shall have the power and is hereby empowered to appoint a committee of three as follows: One from capital, one from labor, and one at large. The Commissioner of Labor shall be ex-officio chairman of said committee. The duties of said committee shall be the same as that prescribed for the Commissioner of Labor in Section 2 of this Act.

§ 4. Appropriation—disbursement.—For the purpose of carrying out the provisions of this Act, there is hereby appropriated from the general fund of the State the sum of Five Hundred (\$500.00) Dollars for the fiscal year ending June 30, 1938. The funds herein provided for carrying out the purpose of this Act shall be expended upon warrants of the Comptroller General, approved by the Commissioner of Labor, and such expenditures shall be classified according to regular budget classifications.

§ 5. **Penalty—exemptions.**—Any person, firm or corporation that hinders or obstructs the Commissioner of Labor or his agent and/or agents in the full and free performance of their duties shall be deemed guilty of a misdemeanor in each and every offense and upon conviction in a Court of competent jurisdiction, shall be fined not less than Twenty-five (\$25.00) Dollars, nor more than One Hundred (\$100.00) Dollars or sentenced to serve not more than thirty (30) days upon the County chain gang. *Provided*, That the provisions of this Act shall not apply to any railroad corporation, or express company doing business by rail, or the receivers or trustees of any railroad corporation, or express company doing business by rail, or to any employee of a railroad corporation, or express company doing business by rail, or the receivers or trustees of a railroad corporation, or express company doing business by rail.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 14th day of May, 1937.

(600)

No. 341.

AN ACT to Provide for the Management of the Dorchester County Hospital.

Section 1. Dorchester County hospital association—members—fee.—Be it enacted by the General Assembly of the State of South Carolina: That an Association, known as the Dorchester County Hospital Association, an eleemosynary Institution, be created, in which any qualified elector of the County of Dorchester shall be entitled to membership, upon the payment of the sum of One (\$1.00) Dollar annually, payable on or before the yearly meeting of the said Association, as hereinafter provided for.

§ 2. **Time hold annual meeting—members vote.**—That the yearly meeting of the said Association shall be held in Summerville on the Second Monday in January of each year, at which meeting all members of said Association, who have duly and regularly paid the amount hereinabove provided for, shall be entitled to one (1) vote in the election of the officers of the said Association, hereinafter provided for, and upon any other matter brought before the said meeting.

§ 3. Officers.—That, from the said Association, there shall be elected annually a President, a Vice-President, a Secretary, and a Treasurer, and a Board of Directors which shall be composed of seven (7) members, of whom the President and Secretary shall be, ex officio, members. No officer, except the Treasurer, shall be entitled to any compensation for his services and the Treasurer of the said Association shall only be paid such compensation as shall be fixed by not less than three-fourths of the members of the Board of Directors, and be paid from the funds of said Association. *Provided, However,* That this shall not be construed to require the payment of any compensation to the Treasurer.

§ 4. Duties of officers.—The duties of the officers shall be as follows:

(a) The duties of the President shall be such as are usually incident to such office, and he shall act as the presiding officer at the meetings of said Association and of the Board of Directors.

(b) The duties of the Vice-President shall be such as are usually incident to such office and he shall preside at all meetings in the absence of the President.

(c) The Secretary shall perform such duties as are usually incident to such office. He shall keep the minutes of the meetings of such Association and the Board of Directors, and shall countersign all papers and reports made by the said Association.

(d) The Treasurer shall keep the books of the Association and a correct account of all assets and funds thereof. He shall also have general control and supervision of all accounts and records of the said Hospital, and shall submit semi-annual statements to the Board of Directors of Dorchester County and to the Board of Directors of the Dorchester County Hospital Association, showing the financial condition of the Association.

§ 5. Execution of checks and drafts.—All checks and drafts drawn against the funds of the said Hospital Association and/or any and all appropriations and/or donations for the said Hospital Association and/or the said Dorchester County Hospital shall be signed by the President of the said Hospital Association, the Treasurer of the said Hospital Association and the Superintendent of the said Hospital or any two of the above named three officers.

§ 6. Powers of board of directors.—The Board of Directors shall have the control and management of the Association, and the conduct, control of the management of the Hospital shall be vested

in a Board of the number above set forth, and all of the operations of the said Association and the Hospital shall be carried on under its management and control. It shall have the power to fill all vacancies in any office and shall provide for the payment of compensation to the Treasurer if it deems it advisable. In the case of the absence or temporary disability of any officer any member of the Association to act temporarily in his stead, and shall have the power and authority to appoint such standing or special committees charged with such duties as it may deem advisable and proper.

§ 7. Meetings of association and board of directors—election of officers.—The annual meeting of the Association shall be held on the Second Monday in January in each year, at which annual meeting the President, Vice-President, Secretary, Treasurer, and Board of Directors shall be elected. Special Meetings of the Association may be called by the President, or Board of Directors when deemed necessary. The Board of Directors shall meet on the day before the annual meeting hereinabove provided for, and at least once in each succeeding month thereafter. Special Meetings of the Board of Directors shall be held whenever called by the President or Three (3) members thereof, and Four (4) members of the Board of Directors shall constitute a quorum.

§ 8. Management, control and operation of Dorchester County hospital.—That the management and control of the said Dorchester County Hospital shall be vested in the said Dorchester County Hospital Association, subject to the control of the Board of Directors elected thereby. *Provided, However,* That, upon the approval of this Act by the Governor, the present officers and members of the Board of Directors of the Summerville Infirmary Incorporated shall constitute the officers and the Board of Directors of the Dorchester County Hospital Association, who shall hold office and serve as officers of the Dorchester County Hospital until the Annual Meeting of the Dorchester County Hospital Association, hereinabove provided for, in January, 1938. *Provided, However,* That the operation of the said Hospital, as hereinabove provided for, shall be subject to the following conditions: Its operation by the Board of Directors of the Dorchester County Hospital Association shall not be inconsistent with any rule or regulation in respect thereto promulgated by the Dorchester County Board of Directors, and *Provided, Further,* That the legislative delegation from Dorchester County shall have the right to limit, as in its judgment seems to the best interest of the County, the respective powers in

regard to the operation and conduct of said Hospital herein devolved upon the Board of Directors of the Dorchester County Hospital Association and the County Board of Directors of Dorchester County. *Provided, Further,* That neither the Board of Directors of the Dorchester County Hospital Association nor the County Board of Directors of Dorchester County, nor any one acting for them, or either of them, nor any officer, agent or servant of the said Hospital or of Dorchester County, shall have the power to make any obligations with respect to the operation of the said Hospital, or incur any expenses in connection therewith, which shall be binding upon the County of Dorchester other than the amounts specifically appropriated in the annual County Supply Bill for any such purpose, or by other statutory enactment. *Provided, Further,* That the County Board of Directors shall have the power to bind the County in respect to such matters, provided it has the written authority and approval of the legislative delegation from Dorchester County.

§ 9. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 10. This Act shall take effect upon its approval by the Governor.

Approved the 15th day of May, 1937.

(602)

No. 342.

AN ACT to Change the Fiscal Year of Beaufort County.

Section 1. Fiscal year, Beaufort County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the approval of this Act, the fiscal year of Beaufort County shall begin on July first of each year and end on June Thirtieth of the following calendar year.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 15th day of May, 1937.

(605)

No. 343.

AN ACT to Create for the County of Edgefield a County Cooperative Soil Conservation Board and to Authorize Said Board to Borrow Money for the Purpose of Purchasing Equipment to do Power Terracing and to Control the Same for the Use and Benefit of the Land Owners of Edgefield County and to Provide for the Payment of Obligations Incurred in the Purchase of Equipment.

Section 1. County cooperative soil conservation board, Edgefield County.—Be it enacted by the General Assembly of the State of South Carolina: That there shall be created in the County of Edgefield, a County Cooperative Soil Conservation Board consisting of five (5) members, who shall be elected by the Soil Conservation Association of Edgefield County, and shall before entering upon their duties as members of said Board, be approved by the Legislative Delegation of Edgefield County. That when so elected by said Association and approved by the Edgefield County Legislative Delegation, their names shall be certified to the County Treasurer of Edgefield County, and shall serve for a period of two (2) years and until their successors have been appointed and qualified. The County Farm Demonstration Agent shall be ex-officio Secretary and Treasurer of said Board and shall keep the books and accounts of said Board. The books of the Secretary-Treasurer shall be audited by a public accountant upon order of the County Delegation. The duties of the said Board shall be to promote the control of erosion within Edgefield County and to promote other farm practices as will tend toward the improvement of the farm land and increase the taxable value thereof. That the members of the said Board shall receive, as pay for their services, the sum of Three (\$3.00) Dollars per day, not to exceed twelve (12) days in any calendar year and said pay to be paid from the funds in the hands of the Secretary-Treasurer of said Board which are provided for herein. *Provided*, That the present membership of said Board, consisting of L. D. Holmes, B. T. Lanham, F. W. Miller, W. F. West and Julian Williams, shall serve for a period of two (2) years from the approval of this Act and until their successors have been appointed and qualified. All Acts of said Board which have been performed or done within the scope and view of this Act, are hereby ratified and approved. *Provided, Further*, That no member of said Board shall

at any time be personally liable for any cause whatsoever by reason of his membership on said Board.

§ 2. Edgefield County borrow for association purchase terracing equipment.—The said Board herein created is hereby authorized and directed to make requisition upon the County Board of Commissioners of Edgefield County to borrow a sum of money not exceeding Six Thousand (\$6,000.00) Dollars and the County Board of Commissioners of Edgefield County is hereby authorized and required, upon receipt of such requisition from said Board and also upon receipt of written authority by the Edgefield County Legislative Delegation, to borrow the said sum not exceeding Six Thousand (\$6,000.00) Dollars, and to make, execute and deliver a note or notes in such amount or amounts and having such maturity dates as may be agreed upon by the County Board of Commissioners and the Legislative Delegation from Edgefield County, the said notes to bear interest at a rate not to exceed 5% per annum. That the funds so borrowed shall be used by the said Board herein created to purchase a new tractor, grader and terracing outfit complete for use in terracing land in Edgefield County. *Provided*, That at no time shall the outstanding obligations of said Board exceed the sum of Six Thousand (\$6,000.00) Dollars.

§ 3. Security pledge pay loan—additional equipment—contract for use of equipment—charge—unpaid charges lien against land—use of receipts—report on work—cooperate with state and federal agencies—duties of foreman of equipment.—The Board herein created shall pledge as security for the payment of said loan the equipment purchased and the net income from any and all work done with such equipment. If it should be found advisable to purchase additional units of equipment, the said Board is authorized and empowered to borrow additional sums subject to all the provisions as to the loans herein authorized; *Provided*, That no additional loan shall be made nor indebtedness incurred without the written approval of the Legislative Delegation of Edgefield County. The Board shall direct the work of the terracing program, enter into contracts with land owners for the terracing of their lands and to perform such other agricultural services as may be practicable to farmers. All services so provided for shall be paid for by the farmers or land owners benefitted, at a price to be fixed by the said Board, which shall be so fixed by the Board as to cover the operating expenses, overhead costs and provide a sufficient sum to meet

the annual payments of the equipment purchased by the said Board. All machinery purchased and other assets which may be acquired by the said Board shall be the property of and subject to the control of Edgefield County. All work done or services rendered to any land owner by the said Board shall be for cash and no credit shall be extended to any individual and all funds received shall be promptly deposited with the County Treasurer and all expenditures therefrom shall be made by proper voucher of the County Treasurer, approved by at least three (3) members of the said Board. That the Board herein created are hereby authorized and directed to submit to the County Legislative Delegation of Edgefield County their proposed plan by which they are to perform their duties under the provisions of this Act, whereby the loan herein authorized will be liquidated from the funds arising from the work herein authorized and which plan shall be first approved by said County Legislative Delegation. That such plan may be changed from time to time in order to make the same more feasible, upon the approval of the County Legislative Delegation. In the event that any land owner shall apply for and receive the benefits under this Act, and, for any cause shall fail to pay the charges therefor, the said Board is authorized to file with the Clerk of Court for Edgefield County, a statement showing the description of the land upon which said improvements were made and the amount due therefor, and from the date of said filing the same shall constitute a lien against the real estate so improved and owned by the said land owner in Edgefield County. The said Board is hereby authorized and empowered to cooperate with any State or Federal Agency engaging in conservation work for the purpose described in this Act. The said Board is hereby authorized to adopt any and all necessary rules and regulations, do any and all things necessary to carry out the provisions of this Act. That the foreman in charge of the equipment provided for herein shall keep a record of the number of hours when said equipment was used on each and every farm on which terracing may be done under the provisions of this Act and file a written report of the same at the end of each week in the office of the Farm Demonstration Agent of Edgefield County and which record shall be open to the inspection of the public.

§ 4. Pledge pay notes—levy tax pay.—That to secure payment of the notes herein authorized to be issued by the County Board of Commissioners of Edgefield County, the funds herein provided to be

collected from those receiving the benefits of this Act after deducting the overhead costs and expenses thereof, is pledged to the payment of said notes and interest thereon, and in addition thereto the full faith, credit and taxing power of Edgefield County is hereby pledged to the payment thereof, and when it appears to the County Treasurer of Edgefield County that it is necessary to levy a tax for the payment of said notes, then the Auditor of Edgefield County is hereby authorized and directed to levy and the County Treasurer is hereby authorized and directed to collect a sufficient tax upon all the taxable property of Edgefield County as will retire said notes with interest promptly as same become due.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.

Approved the 15th day of May, 1937.

(607)

No. 344.

AN ACT to Provide for Regular Attendance Upon the Public Schools of the State of Children Between the Ages of Seven and Sixteen Years; to Provide for the Taking of a Census and Enrollment of All Children of School Age Who are Not Enrolled; to Provide for the Election of Attendance Teachers, Prescribe Their Powers and Duties and Fix Their Compensation; to Provide Funds and Means for Carrying Out the Provisions of This Act, and Prescribe Penalties, for Violation Thereof.

Section 1. Short title.—Be it enacted by the General Assembly of the State of South Carolina: That this Act shall be known as the Regular School Attendance Law of the State of South Carolina.

§ 2. **Annual appropriation for school attendance teachers—distribution—use.**—That there shall be appropriated annually the sum of seventy-six thousand eight hundred (\$76,800.00) dollars which shall be distributed among the several counties in this State as follows: To each County, the sum of One Thousand four hundred (\$1,400.00) dollars, and an additional one hundred (\$100.00) dollars for each member of the House of Representatives such County has in the General Assembly. The amounts distributed to each County, as provided above, shall be for the salary and expenses

of the Regular School Attendance teacher of such County and shall be the State's part or portion of the Regular School Attendance Program; *Provided*, That no one teacher shall receive for salary and expenses a greater amount than fifteen hundred (\$1,500.00) dollars per annum; any sum or sums accruing to any County in excess of the salary and expenses of the said Attendance Teacher therein may be used by the County Board of Education for one or more Assistant Attendance Teachers, for traveling expenses of such Assistant Attendance Teacher or Teachers, for clerical or stenographic help, or for any work pertinent or relative to the matter of regular school attendance.

§ 3. School attendance teachers—election—term—number.—That the School Attendance Teachers in the several Counties of the State shall, on or before July 1st of each year, or as soon thereafter as practicable, be elected by the County Boards of Education of the respective Counties of the State, to be charged with the school attendance work therein; *Provided*, That the Attendance Teachers shall be elected by County Boards of Education whose terms of office run concurrently with or extend beyond the period of employment of said Attendance Teachers; and *Provided, Further*, That this Act shall not limit the number of Attendance Teachers that a County or a School District may employ at its own expense.

§ 4. School attendance teachers cooperate with certain agencies and trustees.—That such County Attendance Teacher, whose salary shall be paid from State funds, and such other Attendance Teachers as may be employed by the County and/or School Districts therein, shall cooperate with the social and civil organizations and agencies of the County and/or District, as well as with the Trustees of the several School Districts in the County.

§ 5. Take census of children not enrolled in school.—That, within thirty (30) days after the opening date of each public school in the State of South Carolina in each year, the Trustees or other governing board thereof shall make or cause to be made a complete census of all children of school age therein, that is, between the years of seven (7) and sixteen (16) years, inclusive, who had not enrolled in such School District or in some other District during said thirty (30) day enrollment period, and the names, ages, places of residence, and names of parents or guardians of such children of school age not enrolled shall be forthwith filed with the County Superintendent of Education, who shall thereupon consolidate all

of said names of children in alphabetical order into one list and certify the same to the Attendance Teacher of the County.

§ 6. Duties of school attendance teachers as to non-attending children and certain absentees—penalty for principal or teachers not report.—That such Attendance Teacher shall, immediately upon receiving the certified list of non-attending children from the Superintendent of Education of the County, contact as rapidly as possible the parents or guardians of such non-attending children, with the object in mind of having such children enrolled in the most conveniently located school of the respective District, and with the further object in mind of seeing that such pupils shall attend such school during the State supported term thereof, and also the County and/or District supported term thereof if the Trustees so direct. It shall be the duty of such Attendance Teacher to check up on all absentees reported to her by the teachers of each school in the County, and all principals shall report to such Attendance Teacher all continuous absences running for as much as five (5) days. Any Principal or Teacher who wilfully neglects and refuses to make weekly reports of non-attending children shall forfeit the sum of five (\$5.00) dollars to be deducted from the current month's salary of such teacher, said deduction to be determined and made by the County Superintendent of Education of the County in which such teacher is employed.

§ 7. Non-attending children—books—wearing apparel—exemptions.—It shall be the duty of such Attendance Teacher to interview the parents and/or guardians of all non-attending school children so reported to such Attendance Teacher, and she shall endeavor to have such children attend school regularly. In the event that such non-attending children shall be unable to procure books, the same shall be reported to the Trustees and County Superintendent of Education, and steps shall be taken immediately to provide the necessary books and working material. In the event that such non-attending children shall not have suitable clothing and/or shoes and the parents and/or guardian of such children are financially unable to provide the same, such condition shall be reported by such Attendance Teacher to the social and civil organizations of such County for such action in the premises as to said social and civic organizations shall seem meet and proper. It is understood that this Act shall not apply to non-attending school children who are exempt under the

Child Labor Act, nor shall it apply to children who shall have completed the tenth (10th) grade in a State Accredited High School.

§ 8. Provide non-attending children with cash, wearing apparel, books, etc., when donated—duties of parents and guardians—board of inquiry.—The School Attendance Teacher shall accept and receive from the social and/or civic organizations and agencies of the County and/or community all cash, clothes, shoes, books, materials, etc., as shall or may be provided and shall supply the same to the non-attending school children of the County who are unable or whose parents and/or guardians are unable financially to provide the same. It shall be the earnest effort of such Attendance Teacher to have enrolled and to keep in school all children of school age in the County, and the Trustees and Teachers of all State supported public schools shall cooperate with such Attendance Teacher to this end. All parents and/or guardians financially able shall compel their children of school age to attend regularly the public schools of this State, and any parent or guardian who wilfully neglects to enroll his child or children and who wilfully neglects or refuses to make such child or children attend school for the term thereof shall be subject for such offense and each day's absence shall constitute a separate offense, to a fine not in excess of twenty-five (\$25.00) dollars, or imprisonment for a period not in excess of ten (10) days, all fines to go into the school fund of that District, or to the County School Fund in the event such County operates upon a County Unit System; *Provided*, That the Courts, in its discretion, may suspend the sentence of anyone convicted for the first time of violating the provisions of this Act if such violator agrees to and does conform forthwith to the provisions of said Act; *Provided, Further*, That such fine shall not apply to the parents or guardians of children gainfully employed in cases where such employment is essential to the actual livelihood of such children and/or their parents or guardians. All cases shall be investigated carefully by the Attendance Teacher, and the Trustees of each School District and the County Superintendent of Education shall constitute a Board of Inquiry for the purpose of passing on the merits of each respective case. If the Board of Inquiry decides that it is not to the essential well-being of the non-attending pupil and/or his parents or guardian that he shall continue to be employed, such pupil shall be ordered to attend school, and the Attendance Teacher shall see that such pupil continues in school during the session or term supported by the

State, and also the County and/or District supported term thereof if and when so required by the County Superintendent of Education and District Trustees.

§ 9. Qualifications of school attendance teachers—pupils wilfully absent from school.—The School Attendance Teacher, provided for herein, shall be one holding a bachelor's degree from an accredited College or University and a first-grade certificate issued by the State Department of Education of South Carolina, or one who has had two years successful teaching experience and holding a first grade certificate as aforesaid; *Provided*, That any person who has served as County Superintendent of Education in this State within four (4) years preceding the passage of this Act shall be qualified for appointment as Attendance Teacher. *Provided, Further*, That no person shall be employed as School Attendance Teacher, or remain employed, in any County in this State, unless he or she, shall within thirty (30) days after such employment, and annually thereafter, present to the County Superintendent of Education for the County in which such Attendance Teacher is employed, a health certificate from a reputable practicing physician certifying that he or she has no contagious or communicable disease, and said County Superintendent of Education shall file the said certificate in his office. The said Attendance Teacher shall possess the qualities essential to a proper approach, shall form the connecting link between the home and schools of the County, and it shall be her duty, in addition to those hereinbefore outlined, to enter non-attending and truant pupils in school work, and to influence them by means of persuasion, if possible, to attend school regularly without compulsion. In the event that a pupil wilfully and without just cause or excuse habitually absents himself or herself from school, such pupil shall be reported to parents or guardians who shall compel the proper attendance of such pupil in school. It is believed that women make the best Attendance Teachers, but nothing in this Act shall be construed to mean a man may not be appointed Attendance Teacher.

§ 10. Children attend free public schools.—It shall be the primary duty of all children of school age as hereinabove defined to attend the free public schools of this State during the State supported term thereof, and also during the County and/or District supported term thereof, and it shall be the primary duty of all parents and guardians to compel such attendance, unless their financial condition is such that the services of their children shall necessarily be required

in earning a living. Earnest and honest cooperation is required on the part of all school officials, teachers, parents, and guardians, and also by the children themselves, to the end that illiteracy may be greatly reduced in this State and that there may be a highly enlightened citizenship.

§ 11. **Appeal from board of inquiry.**—The County Superintendent of Education and the District Board of Trustees shall constitute a Board of Inquiry in all cases but any party aggrieved by their finding and ruling may appeal the same to the Court of Common Pleas of the County for review.

§ 12. **Repeal—§§ 5662-5675, 1932 Code, repealed—compulsory school attendance.**—That Article 6 of Chapter 122, Sections 5662-5675, inclusive, of the Code of Laws of South Carolina, 1932, and all other Acts or parts of Acts inconsistent with the provisions of this Act, are hereby repealed.

§ 13. **Time effective.**—This Act, upon approval by the Governor, shall become effective July 1, 1937.

Approved the 15th day of May, 1937.

(609)

No. 345.

AN ACT to Authorize and Empower the Sinking Fund Commission of Hampton County, Composed of the Treasurer and Auditor of Said County, to Purchase and Retire Any and All Bonds of Hampton County or Any Sub-division Thereof from the Fund of Which They Have Control.

Section 1. Sinking fund commission purchase and retire certain bonds, Hampton County.—Be it enacted by the General Assembly of the State of South Carolina: That the Treasurer and Auditor of Hampton County constituting the Sinking Fund Commission of said County, be, and they are hereby authorized and empowered to purchase at any time any bonds outstanding against Hampton County, or any sub-division thereof if they have in hand funds to the credit of ordinary County funds or School funds and which may be used for any such purpose.

§ 2. **Treasurer rent lock-box deposit valuable papers.**—That the Treasurer of Hampton County be, and he is hereby authorized to rent a suitable lock-box in such bank as he may select to deposit valuable papers of the County in his possession and control.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(611)

No. 346.

AN ACT to Authorize and Empower the Board of Charity Appeals of Greenville County to Have Supervision, Control and Regulation of the County Nurses.

Section 1. County nurses, Greenville County—employment—board of charity appeal direct and supervise.—Be it enacted by the General Assembly of the State of South Carolina: The Board of Charity Appeals of Greenville County or a majority thereof shall have the power and authority to select and employ, and at any time within their discretion to remove or discharge, all County nurses with the approval of the majority of the Greenville County Legislative Delegation, including the Senator. The said Board of Charity Appeals is hereby expressly charged with the direction and supervision of all County nurses in direct connection with their employment as a County nurse. They shall have the authority to select one of the County Nurses to act in a supervisory nature over all other County nurses; or within their discretion place a County nurse under the supervision of any social service agency in Greenville County.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(612)

No. 347.

AN ACT to Amend Section 3374, Volume II, Code of Laws of South Carolina, 1932, Relating to Scale of Fisheries' Tax by Providing for Tax on All Shad Imported Into This State.

Section 1. § 3374, 1932 Code, amended—tax on shad imported in state—tax on clams.—Be it enacted by the General Assembly of the State of South Carolina: Amend Section 3374, Volume II, Code of Laws of South Carolina, 1932, by adding the following

proviso at the end of said Section: "Provided, That a like tax on all shad; imported into this State shall be subject to the same tax as herein provided before the same may be offered for sale. Provided, Further, That there is hereby imposed a tax of two (2c) cents on each sixty ounces of canned clams and five (5c) cents per gallon on raw shucked clams."; so that said section when so amended shall read as follows:

"Section 3374: The following fisheries' tax is hereby imposed upon all fish or fisheries products taken or canned, shucked or shipped for market, to wit: On each sixty ounces of canned oysters two cents; on every gallon of shucked oysters five cents; on every bushel of clams in the shell ten cents; on each bushel of oysters in the shell ten cents; on each terrapin (during the open season) five cents; on soft crabs two cents per dozen; hard crabs, ten cents per bushel; on crab meat, two cents per gallon; shrimp, when cooked, one cent for each sixty ounces or fraction thereof; on each pound of green shrimp, one-eighth of one cent. *Provided*, That an impost tax of eight (8) cents shall be put upon each white shad and two (2) cents upon each hickory shad offered for sale, or shipped from any point in the State to any point within or without the State: *Provided*, That the license tax on raw oysters shall be five cents per gallon whether sold to local consumers or otherwise, and where said oysters are sold in less than gallon lots, a tax stamp shall be affixed at the rate of five cents per gallon. *Provided*, That a like tax on all shad imported into this State shall be subject to the same tax as herein provided before the same may be offered for sale. *Provided, Further*, That there is hereby imposed a tax of two (2c) cents on each sixty ounces of canned clams and five (5c) cents per gallon on raw shucked clams."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(617)

No. 348.

AN ACT to Amend Section 2176, Vol. 2, Code of Laws of South Carolina, 1932, Entitled: "Section 2176 Attorney—Forfeited Land Commission of Richland County."

Section 1. § 2176, 1932 Code, amended—forfeited land commission sell lands bid in at tax sales, Richland County.—Be it en-

acted by the General Assembly of the State of South Carolina: That Section 2176, Vol. 2, Code of Laws of South Carolina, 1932, entitled "Section 2176 Attorney—Forfeited Land Commission of Richland County" be, and the same is hereby amended by adding at the end of subsection (2) of said section the following proviso:

"Provided, That the said Forfeited Land Commission of Richland County is hereby empowered to dispose of all lands which said commission shall have bid in under any tax sale, at any time thereafter, by posting at the Court House door a notice giving a description of the land, the owner thereof, the amount of taxes, penalties, interest or other charges thereon, the names of the holders of any mortgages thereon, and that sealed bids will be received for thirty (30) days after the date thereof at the office of the Clerk of Court, chairman of said commission, all bids to be opened publicly at said office at twelve o'clock Noon on the thirtieth (30) day after the date of said notice, provided no bid shall be accepted unless it shall be equal to the amount of the past due taxes, penalties or other charges plus interest at six per (6%) cent. per annum accrued to the date of said notice, and provided that in cases where mortgages are outstanding of record on such property notice shall be mailed by registered letter to any mortgagee, mortgagees, assignee, or assignees of said mortgage at his, her or their last known address, and any bid made by such mortgagee, mortgagees, assignee, or assignees, if the same shall equal the amount of the past due taxes, penalties or other charges plus interest at Six per cent. (6%) per annum accrued to the date of said notice, then the bid of such mortgagee, mortgagees, assignee, or assignees shall be accepted and all other rejected, and thereupon immediately after said bids have been opened the chairman of said commission shall assign to the highest bidder, or to the mortgagee, mortgagees, assignee or assignees, making the highest bid, as the case may be, the bid of the Forfeited Land Commission at the sale of said property, upon payment to Richland County Tax Collector the amount of such bid and all delinquent taxes on said property accrued since the date of the sale to the Forfeited Land Commission".

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 15th day of May, 1937.

(619)

No. 349.**AN ACT to Raise Revenue for the Support of the State Government by the Levy and Collection of a Tax Upon the Income of Banks in Lieu of All Other Taxes Except Taxes on Real Property.**

Section 1. "Banks and taxpayers" defined.—Be it enacted by the General Assembly of the State of South Carolina: For the purpose of this Act and unless otherwise required by the context, the words "banks and taxpayers," wherever used in this Act, shall mean any person, firm or corporation, engaged in a banking business whether incorporated under the laws of this State, any other State, or the United States, or whether unincorporated except cash depositories.

§ 2. Tax on banks.—A tax is hereby imposed upon every bank engaged in business in the State of South Carolina, which tax shall be levied, collected and paid annually, with respect to the entire net income of the taxpayer doing a banking business within this State, or from the sales or rentals of property within this State, computed at the following rate:

Four and one-half ($4\frac{1}{2}\%$) per centum of the entire net income of such bank or taxpayer.

§ 3. In lieu of other taxes except taxes on real property.—The income taxes herein provided shall be in lieu of all other taxes, except taxes on real property. The real property of any such bank, or banking association, shall be taxed in the place where the same may be located, the same as the real property of individuals.

§ 4. Enforcement—administration.—That for the purpose of administration, enforcement, collection, liens, penalties, and other provisions of enforcement, all of the provisions of Sections 2435-2479, inclusive, Code of Laws of South Carolina, 1932, that may be appropriate or applicable are hereby adopted and made a part of this Section for the enforcement and administration of this Act.

§ 5. Invalidity.—In case the first provision (contained in the first sentence) of Section 3 hereof should for any reason be declared to be invalid by a Court of competent jurisdiction, then and in that event, the taxes provided in Section 2663-2667, inclusive, Code of Laws of South Carolina, shall be and remain in full force and effect, and the income tax provided herein shall not be effective.

§ 6. Payment of tax—distribution.—The taxes herein provided for shall be paid to South Carolina Tax Commission as is provided in Section Four (4) of this Act and the income taxes paid under the provisions of this Act shall be distributed between the general fund of the State, the County and Municipality in which the bank is located as follows:

Ten (10) per cent to the general fund of the State

Sixty (60) per cent to the County

Thirty (30) per cent to the Municipality in which the Bank is located.

The Tax Commission is authorized and directed to draw warrants on the State Treasurer for such distribution on or before May 15 of each year and the State Treasurer is authorized and directed to honor said warrants.

For the purpose of and in the distribution of the taxes paid under this Act by a bank having one or more branches, each branch of the bank shall be deemed to have paid such portion of the entire tax as its deposits on January 1st of each taxable year bear to the total of the deposits of all branches and the tax distributed accordingly.

§ 7. Repeal.—All Acts or parts of Acts inconsistent with this Act are hereby repealed except as hereinabove provided.

§ 8. Time effective.—This Act shall take effect immediately upon its approval by the Governor and shall be retroactive so as to apply during the year 1937.

Approved the 19th day of May, 1937.

(623)

No. 350.

AN ACT Abolishing the Governing Board (Advisory Board) and Devolving All the Powers, Duties, Responsibilities and Functions Thereof on the Supervisor of Union County, Abolishing the Salaries of Members of Governing Board (Advisory Board) of Union County, and Making It Unlawful for the Supervisor to Issue Vouchers in Payment of the Same After July 1st, 1937, and Making It Unlawful for the Treasurer of Union County to Honor and/or Pay the Same After July 1st, 1937, with the Exception of Salaries Aforesaid Members of Governing Board (Advisory Board) Earned Prior to July 1st, 1937.

Section 1. Governing board abolished, Union County.—Be it enacted by the General Assembly of the State of South Carolina: That the Governing Board of Union County (Advisory Board) be and the same is hereby abolished.

§ 2. Duties and powers devolved on supervisor.—All the powers, duties, responsibilities, and functions of the Governing Board (Advisory Board) of Union County are hereby devolved on the Supervisor of Union County.

§ 3. Salaries for governing board for fiscal year 1937-38 repealed.—Sub-Sections s, t, u, and v of Section 3 of Act No. 277, Acts of the General Assembly of the State of South Carolina for the year 1937, whereby and wherein the sum of \$300.00 per year was appropriated for salaries of each of the four members of the Governing Board (Advisory Board) be and the same are hereby repealed. The intention of this Section of this Act is to repeal those Sub-Sections (s, t, u, and v) of Section 3 of Act No. 277 of the General Assembly of South Carolina for the year 1937 whereby salaries of the four members of the Governing Board (Advisory Board) were set forth and appropriated for the fiscal year 1937-38, but this Section of this Act shall not be construed as repealing any other Sub-Section or Section of Act No. 277 of the General Assembly for the year 1937.

§ 4. Payment of such salaries.—It shall be unlawful for the Supervisor to issue any voucher for the payment of salary to any member of the Governing Board (Advisory Board) of Union County on or after July 1st, 1937, and it shall be unlawful for the County Treasurer to honor and/or pay any voucher for payment of salary to any member of the Governing Board (Advisory Board) of Union County, after abolition of aforesaid Governing Board on July 1, 1937. This Section shall not apply to salaries earned by members of said Board prior to July 1, 1937.

§ 5. Time effective.—This Act shall take effect July 1st, 1937, the same time that Act No. 277 of the Acts of the General Assembly for the year 1937 takes effect.

§ 6. Repeal.—All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved the 15th day of May, 1937.

(626)

No. 351.**AN ACT to Regulate Sales of Property in the City of Charleston by the Forfeited Land Commission of Charleston County.**

Section 1. Forfeited land commission not sell its interest in lands in city of Charleston purchased for taxes until city council of Charleston offered right purchase same, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That the Forfeited Land Commission of Charleston County shall not sell, convey or assign any property which it has purchased at a sale by the Sheriff of Charleston County for taxes, or assign its successful bid at any such sale, to any party other than the City Council of Charleston where the property affected lies within the corporate limits of the City of Charleston and on which there is due any amount for taxes, assessments or otherwise to the City Council of Charleston without first notifying the City Council of Charleston of its intention so to do; and the City Council of Charleston shall have the option and privilege of purchasing such property or assignment of bid within a period of ten (10) days from the receipt of such notification at the price fixed by the Forfeited Land Commission, which amount, however, shall be not more than the amount of taxes, costs and penalties which would have accrued upon such property: *Provided, However,* That in the event that the City Council of Charleston fail to exercise the said ten (10) day option and take over any such property and pay for the same within said period then the Forfeited Land Commission shall be free to dispose of the property to any party or parties other than the City Council of Charleston.

§ 2. This Act shall take effect upon its approval by the Governor.
Approved the 18th day of May, 1937.

(629)

No. 352.

AN ACT Authorizing the State Commission of Forestry to Make Rules and Regulations Pertaining to State Forests and Parks; Making It a Misdemeanor to Remove Any Shrub or Tree and to Cut and Mutilate Same or to Mutilate or Deface Any Property Upon Any State Forest or State Park and to Fix the Penalties for Violating the Provisions Thereof.

Section 1. State commission of forestry make rules and regulations for state forests and state parks.—Be it enacted by the General Assembly of the State of South Carolina: That the State Commission of Forestry is hereby authorized and empowered to make such rules and regulations as it deems advisable for the protection, preservation, operation and maintenance, and for the most beneficial service to the general public as it deems advisable, of the State Forests and State Parks in this State.

§ 2. Shrubs and trees in state forests and state parks—removal—when cut or mutilate—not deface property, dump rubbish, etc., within state forests and state parks.—That any person who, without permission of the State Commission of Forestry, shall remove any shrub or tree, or attempt so to do, from any State Forest or State Park, or who shall cut and/or mutilate any shrub or tree growing in any State Forest or State Park in this State without such permission; who shall mutilate or deface any property, real or personal, upon any State Forest or State Park; who shall destroy scenic values by dumping rubbish or in any other way whatsoever, within the confines of any State Forest or State Park, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not more than One Hundred (\$100.00) Dollars, or imprisonment for not more than thirty (30) days, within the discretion of the Court.

§ 3. Invalidity.—If any clause, section or sentence of this Act be declared unconstitutional, such shall not affect the validity of the remaining clauses, sections or sentences.

§ 4. All Acts or parts of Acts inconsistent with this Act, are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 20th day of May, 1937.

(630)

No. 353.

AN ACT to Provide for the Placing of Prisoners in the Municipal Jails of York County and to Provide for the Maintenance of Such Prisoners.

Section 1. Place state and county prisoners in municipal jails, York County—per diem pay.—Be it enacted by the General Assembly of the State of South Carolina: The municipalities of York County are authorized and empowered to receive, keep and maintain County and State prisoners in the jails of the municipalities. The

municipalities shall receive twenty-five cents per day or fractional part of a day for every prisoner placed in its jail by State and County authorities. State and County police officials are authorized and empowered to place prisoners in municipal jails of York County when so permitted by the municipality. The proper city official of the respective municipality shall keep a record of the name of each prisoner jailed by county and state officers and shall present said record to the County Board of Commissioners monthly. The said Commissioners are hereby authorized to pay for same at the rate of 25c as set out above out of the county funds.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 18th day of May, 1937.

(631)

No. 354.

AN ACT to Create and Establish Varnville Consolidated High School District in Hampton County, South Carolina.

Section 1. Varnville Consolidated High School District, Hampton County.—Be it enacted by the General Assembly of the State of South Carolina: That there is hereby created the Varnville Consolidated High School District in Hampton County, South Carolina, which said district shall be composed of Varnville School District No. 16, Tuten School District No. 3, Red Hill School District No. 8, and Holly Hill School District No. 9.

§ 2. **Duties and powers.**—That the District hereby created shall be a body politic and corporate with such rights, powers, privileges and liabilities as provided by the general school laws of the State of South Carolina, and shall operate and/or otherwise conduct all high school activities within the bounds of the said consolidated area, including the high schools, elementary schools, bus transportation, library service, and recreation activities, together with all such other things as are pertinent to a modern school.

§ 3. **Trustees.**—That the Board of Trustees of said Varnville Consolidated High School District shall be composed of the present board of trustees of Varnville School District No. 16 and the chairman and secretary of the board of trustees of Tuten School District No. 3 and the chairman of the board of trustees of each of the other districts so consolidated as aforesaid.

§ 4. Trustees—terms—fix budget—tax levy.—That if this Act becomes effective as hereinafter provided in accordance with the provisions herein-after set out, the board of trustees herein provided for shall immediately convene and elect a chairman and secretary from among their number, and shall immediately cast lots among themselves to determine their respective terms as trustees, distributing them in two (2), four (4) and six (6) year periods with not less than two or more than three trustees terms expiring at any two, four or six year period. That in order to preserve the representation of the original districts on this board, the successors to the above trustees shall be chosen, nominated and/or appointed with due regard for the six year term in accordance with the method in operation in each of the respective districts named above. The Board of Trustees shall meet upon call to determine the school policies, fix the budget and to notify the County Auditor of the amount of same. The County Auditor is hereby specifically authorized and directed to levy upon all the property in the District hereby created a sufficient amount for all school purposes. Said levy to be in addition to the constitutional three mill school tax and such other taxes apportioned to the schools of said district. The tax for the operation of the district hereby created shall be collected by the County Treasurer along with all other taxes so collected by him.

§ 5. Duties of chairman and secretary of trustees.—The chairman of the board of trustees of the school district hereby created shall be the principal executive and shall be assisted by the Secretary; the duties of these two officers shall be to execute the board's decisions, policies, and to draw all warrants in conformity with the adopted budget, and any deviations, if any, shall be under the specific instructions of the board or a majority thereof.

§ 6. Additional powers for trustees.—In addition to the powers herein-before granted unto the said board of trustees of the school district hereby created, they shall have the following powers: (a) to take and assume possession of all school property now owned by the districts hereinbefore named, and to erect and maintain suitable buildings and provide equipment for the use of the public schools of said district; (b) elect and dismiss all teachers, bus drivers and other employees; prescribe their duties, terms of office, salaries and to promulgate such rules and regulations for the government of said schools; to prescribe and regulate the terms and conditions upon parties residing without said district; (c) to assess, if same may be

necessary, upon the students supplemental or incidental fees; (d) to determine and direct the manner of disbursement of all monies accruing to the benefit of said school district by warrant drawn upon the County Treasurer; (e) to fill vacancies occurring on said board of trustees by death, resignation or removal; (f) to borrow such amounts of money as needed upon their note and pledge as security therefor an amount not to exceed 75% of the estimated revenue as shown by the County Auditor's books, and the board may issue the district's note or notes, same to bear a rate of interest not to exceed 6% per annum. In the event of any such notes being issued, there shall be furnished by the County Treasurer a record of all such notes. Such notes shall be an obligation of said district and not involve any other sub-division of the County.

§ 7. Discontinue certain special school levies.—The aforementioned schools which are hereby consolidated in the Varnville Consolidated High School District shall retain their present identity. The County Auditor is hereby authorized and directed to discontinue original special school levies as soon as he is satisfied the existing indebtedness is paid or that existing tax executions are sufficient to pay same.

§ 8. Repeal.—That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 9. Time effective—file petitions—other districts enter.—This Act to take effect upon the approval of the Governor, provided, however, that the provisions of this Act shall not become effective and shall not be of any force unless and until a majority of the taxpayers and school patrons in each of the afore-mentioned districts which are to be consolidated as aforesaid shall sign and file a petition with the County Board of Education requesting the aforesaid consolidation. *Provided*, That any two (2) or more districts herein mentioned, presenting majority favorable petitions, may organize the Varnville Consolidated High School District, *Provided, Further*, That such other districts as may be better situated may subsequently enter this consolidation by like procedure.

Approved the 18th day of May, 1937.

(633)

No. 355.

AN ACT to Amend Act No. 801 of the General Assembly of South Carolina for the Year 1934, Relating to the Time for Holding the Courts of the Fourth Judicial Circuit by Providing for an Additional Term in Chesterfield County and an Additional Term of Common Pleas Court in Aiken County in the Second Circuit.

Section 1. Act 801, 1934 Acts, amended—terms of court, Chesterfield County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 801 of the General Assembly of South Carolina for the year 1934, Approved the 23rd day of March, 1934, relating to the time of holding the Courts for the Fourth Judicial Circuit be amended by adding after the words “the third Monday in April” under sub-section (b) and on the second line of said subsection, relating to Courts of Common Pleas, the following: “the third Monday in May”, so that said Act, when so amended, shall read as follows:

“Section 1: That hereafter the regular term of the Courts of the Fourth Judicial Circuit shall be as follows:

(a) Chesterfield for Chesterfield County, on the first Monday in February, the first Monday in June, and the third Monday in September;

At Bennettsville for Marlboro County on the second Monday in February, on the second Monday in June, and the fourth Monday in September;

At Darlington for Darlington County, on the fourth Monday in February, third Monday in June, and the first Monday in November;

At Dillon for Dillon County, on the second Monday in March, the second Monday in July, and the fourth Monday in October.

(d) At Chesterfield for Chesterfield County, the third Monday in February, the third Monday in April, the third Monday in May, the third Monday in July, the first Monday in September and the first Monday in October;

At Bennettsville for Marlboro County, the first Monday in March, the fourth Monday in April, the fourth Monday in June, the second Monday in September, and the first Monday in December;

At Darlington for Darlington County on the last Monday in January, the third Monday in March, the first Monday in July, and the second Monday in October;

At Dillon for Dillon County, the first Monday in April, the fourth Monday in July, and the second Monday in November."

§ 2A. Additional term of common pleas court, Aiken County.—At Aiken for Aiken County the Court of Common Pleas shall convene on the second Monday in January for a term of two weeks.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 20th day of May, 1937.

(634)

No. 356.

AN ACT to Prohibit the Working at Hard Labor of Prisoners on the Union County Chain Gang for a Period of More Than Ten Hours During Any One Day of Twenty-four Consecutive Hours.

Section 1. Hour work at hard labor prisoners on chain gang, Union County.—Be it enacted by the General Assembly of the State of South Carolina: That no prisoner confined on the Union County chain gang shall be suffered to work at hard labor for more than ten hours during any one day of twenty-four consecutive hours.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 18th day of May, 1937.

(636)

No. 357.

AN ACT to Create the Forfeited Land Commission of Spartanburg County; Provide to the Election of Its Members and Their Terms of Office; to Prescribe Its Powers and Duties; and to Provide for the Compensation of Its Members.

Section 1. The forfeited land commission of Spartanburg County—election—term—vacancy.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby created for Spartanburg County a Forfeited Land Commission, to be known as "The Forfeited Land Commission of Spartanburg County", and shall consist of four (4) members, who shall be residents of Spartanburg County, and shall be selected by a majority vote of the

Spartanburg County Legislative Delegation, and shall serve for four (4) years each. When the election by the Spartanburg County Legislative Delegation is completed, the said Delegation shall immediately transmit the names of the persons elected to the Secretary of State, who shall forthwith issue to each such person, after he has taken the usual oath of office, a certificate of election as Forfeited Land Commissioner, and such certificate shall be full warrant and authority for their exercise of the powers and duties conferred and imposed upon them in this Act. In the event of any vacancies occurring in said Commission, by reason of death, resignation, removal, expiration of term or otherwise, the successors shall be elected in the manner of original election, and shall serve until the expiration of the terms of the other Commissioners.

§ 2. Sell or rent forfeited lands.—The Forfeited Land Commission for Spartanburg County, immediately upon the election and qualification of its members, as provided in Section 1 hereof, shall forthwith take charge of all forfeited lands in that County, and as soon as practicable shall make an inventory of all such land, which shall be kept current and open to inspection in the office of the Clerk of Court of Spartanburg County. The said Commission shall also be empowered to advertise such forfeited land, or any portion of the same, for sale or rent. No sale or lease of any such property shall be made unless and until the same shall have been advertised for sale or for rent, as the case may be, not less than once a week for two successive weeks, in a newspaper of general circulation in said County, and by the posting of copies of said advertisement in three public places; in said County; which advertisement shall either call for sealed bids to be submitted to the Commission before twelve o'clock noon of the day fixed in such advertisement, or shall give notice of the time and place of a public auction, as the Commission in its discretion may determine. The Commission in such advertisement shall reserve the right to reject any and all bids, all bids are first to be submitted to the County Board for their approval before same shall be accepted by the Commission. In the case of sales of such property made by the Commission as herein authorized, the Forfeited Land Commission of Spartanburg County shall be authorized and empowered to execute and deliver its deed on behalf of Spartanburg County to the purchaser or purchasers, and such deed shall vest in the purchaser or purchasers all of the right, title and interest of the said County in and to the property therein conveyed. No

lease of any such property shall be made by the said Commission for a longer term than twelve (12) months, except with the written consent of the Senator and a majority of the members of the House of Representatives for Spartanburg County.

§ 3. Deposit and disbursement of receipts—pay of members.

—The said Commission shall forthwith deposit with the County Treasurer the proceeds of all sales of such property, after deducting therefrom the cost and expenses of making each such sale, and also the compensation hereinafter provided for the members of the Commission. The Commission shall also deposit monthly with the County Treasurer the proceeds of all rents which have been collected from the property in its charge, after deducting from such proceeds the compensation hereinafter provided for the members of the Commission. The members of the Commission shall receive as their compensation the sum of five (5%) of the sales price of any such property sold by them under the terms of this Act, after deducting the expenses of the sale; and they shall also receive the sum of ten (10%) per cent of all rents which they shall collect from any of the property in the charge of the Commission under this Act, the compensation herein fixed to be equally divided among the several members of the Commission. The County Treasurer, upon receipt of the proceeds of all sales and rentals of property in the charge of the Commission under this Act, shall distribute such proceeds as provided by law.

§ 4. Bid on lands sold for state, county and school taxes.—

It shall be the duty of the Forfeited Land Commission of Spartanburg County to attend all tax sales held in said County for State, County and School taxes, and to bid in on behalf of the County all property sold at such sale up to the amount of the taxes, penalties and costs for which the same is sold.

§ 5. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 24th day of May, 1937.

(637)

No. 358.

AN ACT to Amend Act No. 231 of the Acts of the General Assembly of South Carolina, 1935, Entitled "An Act to Provide for the Manner of Designating Certain Magistrates in Anderson County Under Certain Conditions and to Enlarge

and Define Their Jurisdiction'' etc., Approved May 4, 1935, as Amended by Act No. 793 of the Acts of the General Assembly of South Carolina, 1936, Entitled "An Act to Amend Act No. 231 of the Acts of the General Assembly of South Carolina, 1935," Etc., Approved April 30, 1936; so as to Further Provide for the Compensation of Jurors Serving in Special Magistrates' Courts in Anderson County; and to Further Provide for the Transfer of Criminal Cases by Special Magistrates in Said County; and to Further Provide for the Preparation of a Jury Box.

Section 1. Act 231, 1935 Acts, amended—special magistrates, city of Anderson—criminal cases—transfer—nol pros.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 231 of the Acts of the General Assembly of South Carolina, 1935, entitled "An Act to Provide for the Manner of Designating Certain Magistrates in Anderson County under Certain Conditions and to Enlarge and Define their Jurisdiction" etc., approved May 4, 1935, as amended by Act No. 793 of the Acts of the General Assembly of South Carolina, 1936, entitled "An Act to Amend Act No. 231 of the Acts of the General Assembly of South Carolina, 1935" etc., approved April 30, 1936, be, and the same is, hereby amended by adding the following at the end of Section 8, to wit:

"Provided, That, upon the consent of the Solicitor of the Tenth Judicial Circuit, the special magistrate may transfer for trial any such criminal case, before the trial of same, to any special magistrate or to the Court of General Sessions of Anderson County, if he deems it advisable. Criminal cases before such special magistrate may be nol prossed in like manner as in the Court of General Sessions."

§ 2. Same—pay of jurors.—That said Act No. 231 of the Acts of the General Assembly of South Carolina, 1935, as amended as aforesaid, be, and the same is, hereby further amended by inserting between the word "mileage" and the word "State" on line 9 of Section 25 of said Act, the following:

"Provided, That any juror who serves two or more days consecutively shall be paid a per diem allowance of the same amount as that paid jurors in the Court of General Sessions of Anderson County. The mileage allowance for such juror shall be as above pro-

vided", so that said Section 25, when so amended, shall read as follows:

"Section 25: That jurors summoned as herein provided shall be paid as follows: Each juror actually serving on any case, the sum of One Dollar per day and mileage at five cents per mile one way the nearest traveling distance from the residence of such juror to the place of trial; each juror appearing for service but not serving on the case, the sum of fifty cents per day and mileage as above provided, *Provided*, That jurors who appear for service and are excused upon their own motion shall not receive any pay or mileage, *Provided*, That any juror who serves two or more days consecutively shall be paid a per diem allowance of the same amount as that paid jurors in the Court of General Sessions of Anderson County. The mileage allowance for such juror shall be as above provided. State witnesses other than expert witnesses in criminal cases shall be paid the sum of fifty cents per day and mileage in the amount provided for jurors; expert witnesses in such cases shall be allowed the same pay and mileage as allowed expert witnesses in the Court of General Sessions; *Provided*, That the Special Magistrate may refuse to allow any pay and mileage to any witness that he deems not a necessary witness in the case. That such Magistrate in allowing pay and mileage to witnesses and jurors shall issue pay certificates similar to those used by the Clerk of Court of General Sessions. That the Treasurer of said county shall, upon presentation, honor and pay the amount called for by said certificates in like manner as is done by certificates issued to the jurors and witnesses in the Court of General Sessions."

§ 3. **Same—jury box.**—That said Act No. 231, as amended as aforesaid, be further amended by adding the following to be known as Section 16½:

"Section 16½: That, in case of an emergency, the special magistrate may, at such time or times as he deems advisable, prepare a jury box to be used by him as such special magistrate in the same manner as provided in Section 16 for the annual preparation of such box."

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 21st day of May, 1937.

(638)

No. 359.

AN ACT to Amend Section 1 of an Act Entitled "An Act to Amend Section 5369 of the Code of Laws of South Carolina, 1932, as Amended by Act No. 356, of the Acts of the General Assembly, 1933, Entitled 'An Act to Amend Section 5369, Civil Code, Code of Laws of South Carolina, Vol. II, 1932, in Reference to the Appointment of School Trustees and Their Powers' Approved May 16, 1933, Known as Act No. 304 of the Acts of 1937", by Striking Therefrom that Portion Relating to Reemployment of Teachers in the Various Schools.

Section 1. § 5369, 1932 Code, amended—provisions relating to reemployment of school teachers eliminated.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of an Act entitled "An Act to Amend Section 5369 of the Code of Laws of South Carolina, 1932, as amended by Act No. 356 of the Acts of the General Assembly, 1933, entitled 'An Act to Amend Section 5369, Civil Code, Code of Laws of South Carolina, Vol. II, 1932, in Reference to the Appointment of School Trustees and Their Powers', approved May 16, 1933, known as Act No. 304 of the Acts of 1937" be, and the same is, hereby amended by striking from said Section the following:

(1) "*Provided*, That in the event the Trustees of any Achool District in this State shall fail to notify any teacher, holding valid teacher's certificate, in their respective school in writing on or before June 1, or, in case on such date the school has not completed its State aid term and the number of teachers for which it qualifies is uncertain, then on or before the tenth day after the close of the State aid term, of each year to the effect that such teacher will not be re-employed for the next ensuing year, such failure to so notify such teacher shall be construed to be and shall be an act of re-employment of such school teacher for the next ensuing school year upon the same terms and conditions of such teacher's employment at the time of the failure to give such notice, in like manner as if a contract had been entered into between such school teacher and the trustees of such school district for such re-employment; *Provided*, That such failure to so notify such teacher shall not be binding and shall not be considered re-employment of such teacher unless such teacher shall, on or before the first day of June of each year notify

in writing the trustees of the school or the chairman of the board of trustees of his or her office of acceptance of such re-employment"; and

(2) "except, however, the first proviso in this Act relative to the notification of re-employment of teachers shall be applicable to said counties;"

so that said Section, when so amended, shall read as follows:

"Section 1: That section 5369, Code of Laws of South Carolina, 1932, as amended by Act No. 356 of the Acts of the General Assembly, 1933, entitled 'An Act to amend Section 5369, Civil Code, Code of Laws of South Carolina, Vol. II, 1932, in reference to the appointment of school trustees and their powers; approved May 16, 1933, be, and the same is, hereby amended by inserting immediately before the first proviso of said amended Section the following: 'Provided, That in the event the trustees of any school district in this State shall fail to notify any teacher, holding valid teacher's certificate, in their respective school in writing on or before June 1, or, in case on such date the school has not completed its State aid term and the number of teachers for which it qualifies is uncertain, then on or before the tenth day after the close of the State aid term, of each year to the effect that such teacher will not be re-employed for the next ensuing year, such failure to so notify such teacher shall be construed to be and shall be an act of re-employment of such school teacher for the next ensuing school year upon the same terms and conditions of such teacher's employment at the time of the failure to give such notice, in like manner as if a contract had been entered into between such school teacher and the trustees of such school district for such re-employment; *Provided*, That such failure to so notify such teacher shall not be binding and shall not be considered re-employment of such teacher unless such teacher shall, on or before the fourteenth day after the expiration of the time above provided for the giving of such notice by the trustees, notify the trustees of the school or the chairman of such board of trustees, of his or her acceptance of such re-employment;' and by adding at the end of said Section 5369 as amended as aforesaid the following: 'and Bamberg County, except, however, the first proviso in this Act relative to the notification of reemployment of teachers shall be applicable to said Counties', so that said Section 5369 as amended as aforesaid when so amended shall read as follows:

'Section 5369: Unless it be now specially provided otherwise by law for any particular school district or county, the boards of school trustees in this State shall be composed of three (3) members, each of whom when appointed, pursuant to the terms of this Act, shall hold office for a term of three (3) years. The County Boards of Education of this State shall, within thirty (30) days after the approval of this Act, appoint one (1) trustee from the qualified electors and the taxpayers residing in the district for which the appointment is made, for each school district to succeed the trustees whose term expires during 1933 to serve with the holdover members, and until their successors have been appointed and qualified; and shall, during the first week of April in each year thereafter make a like appointment of a trustee for each district who shall hold in like manner until their successors have been appointed and qualified. Trustees shall be subject to removal from office for cause by the County Boards of Education upon notice, and after being given the opportunity to be heard by the County Board of Education. Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal within ten (10) days after service of such order upon him to the State Board of Education. Vacancies occurring in the membership of any board of trustees for any cause shall be filled for the unexpired term by the County Board of Education in the same manner as provided for full term appointments. The Trustees shall as soon as practicable after the appointment of any new trustees organize by the election of one of their members as chairman and another as clerk of the board. The chairman shall preside at meetings of the board and perform other duties imposed on him under the law, and the clerk shall keep a record of the proceedings of all meetings in a book provided for that purpose, and perform all other duties required of him by law. All meetings shall be at the most convenient and practicable place in the district. No teacher or other employee shall be employed or any purchase made except in a duly called meeting of the board, of which each member has been notified by the clerk of the board of the time, place and purpose thereof at least three (3) days in advance in writing of such meetings, or unless a written waiver of such notice of meeting is signed by each member of the board of trustees and unless such action or the memoranda of the terms of any such contract of employment or purchase shall be duly recorded

in the minutes of such meeting and approved by the board. No contract shall be entered into with teachers before April 15 of each year. *Provided*, That the provisions of this Act shall neither repeal, supersede, nor annul any special Act providing for the appointment, or election of school trustees in any school district, or in any of the several counties of the State. *Provided, however*, That in Chester County the trustees for each school district, except special or graded school districts exempted herein, shall all be appointed at once upon the approval of this Act. One of whom shall serve for one year; one of whom shall serve for two years, and one of whom shall serve for three years, the term of each to be designated by the County Board of Education; and the successors shall thereafter be appointed for three years each, and that the term of office of all trustees who now hold said office shall be and hereby are terminated, ended and declared expired as of April 1st, 1933. *Provided, further*, That the provisions of this Act shall not apply to Georgetown County and Bamberg County."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor

Approved the 21st day of May, 1937.

(646)

No. 360.

AN ACT to Amend Section 55, Code of Laws of 1932, by Striking Out the Paragraph Headed "Richland County", so as to Change the Time for the Holding of Such Courts in Richland County.

Section 1. § 55, 1932 Code, amended—terms of court, Richland County.—Be it enacted by the General Assembly of the State of South Carolina: That sub-section (2) of Section 55, Code of Laws of South Carolina 1932, be, and the same is hereby stricken out and the following inserted in lieu thereof:

"(2) Richland County: The Courts of General Sessions for Richland County shall be held in Columbia on the second Monday in January, the third Monday in April, and the first Monday in June, and the first Tuesday in September; and the Courts of Common Pleas for said County in the same place on the third Monday in February, the first Monday in April, the second Monday in May, the fourth

Monday in September, and the third Monday in November, which terms of Court shall run for three weeks, two weeks of which shall be for the disposal of jury matters and the other week, which includes Thanksgiving Day, shall be for the disposal of motions, equity matters and any other matters not requiring the attendance of a jury. The first Monday in each Common Pleas term shall be for the disposal of matters not requiring the attendance of a jury, and the jury commissioners shall summons the jurors for the first week of each Common Pleas term for the opening of Court on Tuesday morning."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(647)

No. 361.

AN ACT to Amend Section 2 of an Act Entitled "An Act to Provide for a Tax Collector for York County", Known as Act No. 144, of the Acts of 1933, and to Amend Section 4, as Amended in Section 1 of an Act Known as No. 795, of the Acts of 1934, so as to Further Provide for the Fees and Commission of the Tax Collector and the Lien Thereof, and Fees of the County Treasurer.

Section 1. Act 144, 1933 Acts, amended—fees and commissions of tax collector, York County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2 of an Act entitled "An Act to provide for a Tax Collector for York County", known as Act. No. 144 of the Acts of 1933, be, and the same is, hereby amended by striking out at the end of Section 2 the following, to-wit: "The Tax Collector shall not be allowed commissions for the collection of taxes on any property involved in litigation", and inserting in lieu thereof the following: "*Provided*, the Tax Collector shall not be allowed any fees or commissions on executions coming into his hands after the date the property of the defaulting taxpayer is placed in the hands of a Receiver, but shall be allowed fees and commissions on such taxes in execution and in his hands before the date of such Receivership", so that said section, when so amended shall read as follows:

"Section 2: The term of office of such Tax Collector shall be at the pleasure of a majority of York County Delegation in the General Assembly. If at any time a majority of said Delegation deems it advisable, they are hereby empowered to abolish the office of tax collector without further legislation and devolve the duties thereof upon the Sheriff of York County. And, should such tax collector be removed, and the office abolished, then the Sheriff of York County shall receive the same fees and commissions as provided by law before the creation of the office of tax collector."

§ 2. Same—lien for fees and commissions—fees pay into general fund.—That Section 4 of Act No. 144 of the Acts of 1933, as amended by Section 1 of an Act known as Act No. 795 of the Acts of 1934 be, and the same is, hereby amended by adding the following at the end of said Section: "The fees or commission of the said Tax Collector shall have the same priority and lien upon the property of the defaulting taxpayer as the penalties due the State and County, as now provided by law": Amend said Section further by adding after the word "and" and before the word "the" in "Section 4," the following: "Which shall be placed by him to the credit of York County in the general fund", and designated as Section 4, so that said Section, when so amended, shall read as follows:

"Section 4. The Treasurer for such warrant issued shall have from each defaulter one (\$1.00) Dollar which shall be placed by him to the credit of York County in the general fund, and the Tax Collector herein provided for shall take from each defaulter the following fees in the execution of his office, to-wit: 'For serving each warrant one (\$1.00) dollar besides mileage at the rate of five cents for each mile actually traveled in executing the warrant; for advertising sale twenty-five cents; for making sale and executing deed of conveyance and putting purchaser, into possession three (\$3.00) dollars and for sums levied as aforesaid, five percent, and the said tax collector is prohibited from demanding or collecting any greater sum therefor than is hereby allowed, and neither the treasurer nor the tax collector herein shall receive fees, upon nulla bona return: *Provided*, That the said County may by majority of the vote of the Legislative Delegation supplement fees of the said Tax Collector, by salary to be provided in the County Supply Bill, or otherwise; *Provided, Further*, That the above expression 'and for sums levied as aforesaid, five percent', is construed and declared to mean all sums collected by levy, sale or otherwise. All such fees, costs and

commissions heretofore charged and collected by the Tax Collector of said County in conformity with the construction herein placed upon the aforesaid expression are declared to be lawful charges and collections, and his acts in the premises are hereby ratified and confirmed. The fees or commission of the said Tax Collector shall have the same priority and lien upon the property of the defaulting taxpayer as the penalties due the State and County, as now provided by law."

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 21st day of May, 1937.

(648)

No. 362.

AN ACT to Provide for the Terracing of Certain Lands in Union County and to Provide for the Liquidation of the Cost of the Same.

Section 1. Terrace certain lands, Union County—payment.—

Be it enacted by the General Assembly of the State of South Carolina: That the County of Union, State of South Carolina, be, and is hereby authorized to enter into contract through the medium of the Soil Conservation Association with the landowners of Union County to assist the landowners in financing the terracing of their lands. The landowners to obtain this assistance shall make written application to the Soil Conservation Association for the terracing of their lands. The Soil conservation Association shall order the Engineer in charge to make an estimate of the cost of terracing of the applicant's land, which estimate shall be submitted to the Soil Conservation Association for approval or disapproval. If approved, such landowners shall deposit twenty-five per cent (25%) of said estimate with his application to the County Treasurer, the balance shall be paid in three equal annual installments, such deferred payments to be secured by a levy assessed against the whole tract of land whether partially or fully terraced and to bear interest at the rate of four (4%) per cent per annum from the date the work on the applicant's farm is completed and shall be charged by the Auditor of Union County and collected by the Treasurer of Union County, in the same manner and at the same time State and

County taxes are collected. The first deferred payment shall be due and payable upon the next succeeding taxable year.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 21st day of May, 1937.

(649)

No. 363.

AN ACT to Regulate the Catching of Non-game Fish in Union County.

Section 1. Catch non-game fish without angler's license, Union County.—Be it enacted by the General Assembly of the State of South Carolina: It shall be lawful to use seines, nets, or other devices for the stoppage, catching and/or collecting of catfish, carp, suckers and all non-game fish in Union County without the license required by Act No. 357 of the Acts of the General Assembly for the year 1937, approved April 21, 1937.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(650)

No. 364.

AN ACT to Amend Section 4 of an Act Entitled "An Act to Create the Office of Tax Collector in Orangeburg County", Etc., Approved 13th Day of April, 1932, as Amended by an Act Entitled "An Act to Amend Section 4 of an Act Entitled 'An Act to Create the Office of Tax Collector in Orangeburg County' ", Etc., Approved the 30th Day of May, 1936, so as to Reduce the Rate of Interest to be Collected on Delinquent Taxes in Orangeburg County and to Provide a Way for Taxpayers to Definitely Terminate Tax Liabilities Where the Amount Due Has Been Rendered Doubtful or Uncertain by Judicial Decision."

Section 1. Act 886, 1932 Acts, amended—interest collect on delinquent taxes—payment of certain penalties, Orangeburg

County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 4 of an Act entitled “An Act to Create the Office of Tax Collector in Orangeburg County,” etc., approved the 13th day of April, 1932, and designated as Act No. 886 of the Acts of 1932, as amended by an Act entitled “An Act to Amend Section 4 of an Act entitled “An Act to Create the Office of Tax Collector in Orangeburg County’ ”, etc., and designated as Act No. 894 of the Acts of the General Assembly of the year 1936, approved May 30, 1936, be, and the same is hereby, amended, altered and changed, so as to read as follows: “Section 4: It shall be the duty of the Tax Collector to make diligent effort to collect all delinquent taxes for which executions have been issued. He shall add and collect interest at the rate of one-fourth of one (1%) per cent. per month, or fraction thereof, upon the amount of any executions for taxes due in 1935 or any subsequent year from the date such execution is issued until the November following, thereafter he shall add and collect interest at the rate of one-half of one (1%) per cent per month, or fraction thereof, upon the amount due, such interest to be calculated only on the balance remaining unpaid. *Provided, However,* when any taxpayer, who is in arrears in the payment of his taxes, shall pay all such delinquent taxes in full before the 1st day of January, 1938, the Tax Collector of such County shall reduce by 50%, the penalties on all delinquent taxes for the year 1935 and preceding years. Inasmuch as some doubt may exist as to the correct amount of taxes due by citizens by reason of certain judicial interpretations of this and other Acts, it is hereby provided that any taxpayer who shall pay the amount provided herein before the First day of January, 1938, intending to pay up in full, shall be considered to have fully discharged the tax obligations for the years covered by such settlement and in the event such settlement shall ever be questioned or invalidated by any court decision such tax payments shall be considered as having been paid under protest so that the rights of the respective taxpayers will be fully preserved and protected. He shall assist the County Auditor in listing on the Tax Books any personal or real property which he may find to be not so listed, or which is escaping taxation, and shall furnish the County Auditor with the name of any taxpayer whom he may find to be subject to taxation that is not listed on the Tax Books for poll or commutation tax or otherwise, and shall assist in placing all dogs in the County on the Tax Books. The collector, with the approval

of the Senator and a majority of the members of the House of Representatives, may employ an assistant to locate and assist in putting such property on the tax books, said assistant to receive such salary and expenses as the collector, with the same approval of the Senator and Representatives, may determine. The Tax Collector is authorized and directed to receive from time to time partial payments upon all tax executions in his hands, giving his receipt and keeping a duplicate for such partial payments but not issuing receipt in full satisfaction of such executions until all payments have been made in full.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(652)

No. 365.

AN ACT to Provide for the Election of School Trustees in New Port School District No. 36 of York County and Fix Their Term of Office.

Section 1. Election of trustees, New Port School District No. 36, York County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the passage of this Act, the trustees of New Port School District No. 36 of York County shall be elected by the qualified electors of the said School District for a term of two (2) years and until their successors have been elected and qualified. That the first election for said trustees shall be held on the second Tuesday in August, 1937, and every two (2) years thereafter on the same date, after giving public notice thereof at least ten (10) days in a newspaper published in the County of York. That the term of office of the present trustees of New Port School District No. 36 of York County shall expire on the second Tuesday in August, 1937. That it shall be the duty of the County Superintendent of Education to call the election of trustees as provided for.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(655)

No. 366.**AN ACT to Authorize the Tax Collector of Orangeburg County to Sell Lands Owned by the County on Account of Failure of the Owners to Pay Taxes Thereon.**

Section 1. Tax collector sell tax lands owned by county, Orangeburg County.—Be it enacted by the General Assembly of the State of South Carolina: That the delinquent tax collector for Orangeburg County is hereby authorized and empowered to make sales of real estate which is now owned or which may hereafter be owned by the County on Account of the owners thereof having failed to pay the taxes thereon and of any parties in interest to redeem same, as provided for by law, and to give the purchasers thereof terms, that is to say: the said tax collector is authorized and empowered to enter into contracts providing for the conveyance of any such lands upon the payment of not less than one-fourth ($\frac{1}{4}$) of the agreed upon purchase price, the balance to be paid in four (4) equal successive annual installments from the date of purchase, with interest on the unpaid portion at the rate of six (6%) per centum per annum, payable annually, the purchaser to pay taxes on the property becoming due after date of contract. Upon the payment of the cash portion, and the execution of the agreement as authorized herein, the purchaser may be let into possession of the premises so agreed to be sold. Upon the payment to the tax collector of the installments and interest, and of any and all taxes then due, the said tax collector is authorized, empowered and directed to execute and deliver to any such purchaser or his assigns, a deed of such real estate, or, in the event of his death, to the devisees of such real estate, it there be a will, and, if there be none, to such person or persons entitled thereto as his heirs at law under the statutes of distribution of this State. In case the purchaser fails to pay the second installment and taxes having become due the collector shall notify him by registered mail and if within sixty (60) days after such notice the terms of the purchase contract have not been complied with the collector shall cancel the said contract of purchase and any payments thereunder shall be forfeited. In case of default in any payments by such a purchaser, after having paid at least two, the collector shall notify the purchaser by registered mail and if the terms of the contract have not been complied with, it shall become the duty of the tax collector to collect by suit or otherwise, and his action in court shall be in the nature of a foreclosure of a mortgage

of real estate. All such contracts, among other things, shall provide that, in case of suit for foreclosure shall be begun or other action taken to collect the same, the purchaser shall be liable for a commission of ten (10%) per centum upon the amount due as compensation to the attorney for the tax collector. All such contracts may contain such other provisions ordinarily incident to such agreements not inconsistent with the provisions of this Act. In the event that any purchaser desires to pay a greater proportion of the purchase price than that above authorized to be accepted, or to pay the unpaid portion in a less number of annual installments, the tax collector is authorized to engage in such contract. The documentary stamps required by law to be placed on any such contract and the recording fees shall be borne by the purchaser, as well as the expense incident to the preparation of any such contract.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 21st day of May, 1937.

(656)

No. 367.

AN ACT to Declare a Closed Season for Fishing in the Back Waters of the Catawba and Wateree Rivers in Fairfield, Chester and Lancaster Counties for a Period of Two Years, Except with Rod and Reel, Hook and Line and Split Wood Basket and to Provide a Penalty for the Violation Thereof, and to Regulate Fishing in the Waters of Edgefield County.

Section 1. Closed season for 2 years for fishing in back waters of Catawba and Wateree Rivers, Chester, Fairfield and Lancaster Counties—exemptions.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby declared a closed season for a period of two (2) years for fishing in the back waters of the Catawba and Wateree Rivers in the counties of Fairfield, Chester and Lancaster, except with rod and reel, hook and line and split wood basket.

§ 2. **Penalty.**—Any violation of this Act shall be punishable by a fine of not less than twenty five (\$25.00) dollars nor more than one hundred (\$100.00) dollars or by imprisonment for a period of not less than twenty (20) days nor more than thirty (30) days.

§ 3. **Closed season for 2 years for fishing, Edgefield County—suspend—exemptions.**—There is hereby declared a closed season for a period of two (2) years for fishing in any of the waters of Edgefield County, except with rod and reel, hook and line, trot line and split wood baskets. *Provided*, that the Chief Game Warden shall have the right to suspend the provisions of this section upon recommendation of a majority of the Edgefield County Legislative Delegation.

§ 4. **Penalty.**—Any violation of the provisions of Section 3 of this Act shall be punished by a fine of not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars or by imprisonment for a period of not less than ten (10) days, nor more than thirty (30) days.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 21st day of May, 1937.

(658)

No. 368.

AN ACT to Authorize the County Auditor to Levy a Tax of Two (2) Mills Upon All the Taxable Property in York County for the Purpose of Supplementing Teachers' Salaries and Paying Operating Expenses of Schools in Said County; to Provide for the Paying Out of Funds Derived from Said Levy Upon a Pro Rata Basis and to Allow School Districts, in Certain Cases to Reduce Their Tax Levy by Two (2) Mills.

Section 1. Tax levy for school purposes, York County.—Be it enacted by the General Assembly of the State of South Carolina: That there is hereby levied a tax of two (2) mills upon all the taxable property in York County for the purpose of supplementing teachers' salaries and paying operating expenses of schools in said County. Funds derived from this special levy shall be prorated in the same manner as the Five (5) mill tax levy now in existence. *Provided*, that any school district in said County may, with the approval of the trustees of said school district and the approval of the County Board of Education, reduce its district levy by two mills.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 21st day of May, 1937.

(659)

No. 369.

AN ACT to Amend Section I of an Act Entitled "An Act to Prohibit All Seining of Fish in Greenville, Anderson, Pickens and Oconee Counties", Known as Act No. 254 of the Acts of 1933, so as to Include Spartanburg County.

Section 1. Act 254, 1933 Acts, amended—not seine for fish, Spartanburg County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of an Act Entitled "An Act to Prohibit all Seining of Fish in Greenville, Anderson, Pickens and Oconee Counties", known as Act No. 254 of the Acts of 1933, be, and the same is, hereby amended by adding after the word "Pickens" and before the word "and" the word "Spartanburg" on line 4, so that said Section when so amended shall read as follows:

"Section 1: That from and after the passage of this Act it shall be unlawful for any person to use within Greenville, Anderson, Pickens, Spartanburg and Oconee Counties, or any of the waters thereof, or any of the waters contiguous thereto, any net of any description commonly called a seine for the purpose of gathering, hemming or driving fish in any of said waters.

And the word "net" herein shall be deemed and interpreted to include any and every device in the nature of a net whether made of cotton, hemp, rayon, silk or wire.

But the provisions of this Act shall not prevent the use of a circular net commonly called a "landing net" to be used in landing a fish, provided it not be over fourteen inches (14 in.) in diameter and eighteen (18 in.) deep. The said fish shall be caught only with rod and reel, or rod and line, or pole and line, with single bait or lure in the hands of the operator, or by throwing when not more than one lure and line is used by the person throwing: *Provided*, That when the pole and line is used, the fisherman may use not exceeding three poles, provided the same be used in his view, and he is not required to have the same in his hands all of the time; *Provided, Further*, That it shall not be unlawful for a person fishing with pole and line to have in his possession and to use at intervals a rod and reel or rod and line."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 1st day of June, 1937.

(660)

No. 370.**AN ACT to Determine the Open Season on Male Wild Turkeys and Declare a Closed Season on Female Wild Turkeys.**

Section 1. Season hunt wild turkeys.—Be it enacted by the General Assembly of the State of South Carolina: From and after the passage and approval of this Act, the open season for hunting male wild turkeys (Gobblers) in South Carolina shall be from the day before Thanksgiving to March 1st, inclusive, and it shall be unlawful to hunt or kill female wild turkeys (hens) at any time.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 21st day of May, 1937.

(663)

No. 371.**AN ACT to Provide for the Election of School Trustees for Cartersville School District No. 38 in Florence County.**

Section 1. Election of trustees, Cartersville School District No. 38, Florence County.—Be it enacted by the General Assembly of the State of South Carolina: That the County Superintendent of Education of Florence County shall, on the first Tuesday in May, 1938, and on the same day in May of each year thereafter, call a meeting of the electors of Cartersville School District No. 38 in Florence County to be held at some suitable place in said District, which said meeting shall be advertised each year, three weeks before the said date fixed and in three conspicuous places in said District, and at such meetings the electors attending shall organize as a mass meeting, consider their school needs and shall nominate and recommend to the County Board at the meeting held on the said day, one trustee to fill the vacancy occurring in 1938, and at each annual meeting thereafter the vacancy occurring on the said Board shall be filled in the same manner: *Provided, Further,* That the County Superintendent of Education may fill any vacancy occurring in the Board of Trustees of said District, between elections, but such appointment to fill such a vacancy shall be only until the succeeding mass meeting herein provided for.

§ 2. **Report annually.**—That at such annual meeting in said District, the trustees shall make a report to the meeting of the financial

affairs of the district which shall include an itemized statement of all expenditures for the previous year, together with such recommendations as they may deem proper which report, with the minutes of the mass meeting of the electors, shall be forwarded by the Secretary of the meeting to the County Superintendent of Education and filed for record in his office as a public document.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 21st day of May, 1937.

(664)

No. 372.

AN ACT to Exempt from Certain Taxes the Property of the Board of Trustees of Chicora College in the City of Columbia, County of Richland, State of South Carolina.

Section 1. Chicora College property exempt from taxes, Richland County.—Be it enacted by the General Assembly of the State of South Carolina: That the property of the Board of Trustees of Chicora College (an eleemosynary corporation owned and controlled by the Synod of the Presbyterian Church of South Carolina), including the real estate on which the College buildings, professors' and other houses are located in the City of Columbia, South Carolina, and used for the purpose of the said College, including payment of the debts incurred in connection with the operation of the College, be, and the same is hereby declared and made exempt from all past and future taxation for county, school, municipal and special local taxes, such exemption as to any of such property to cease, however, upon the transfer of the title to any other person or corporation.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(628)

No. 373.

AN ACT to Amend Section 33 of an Act Entitled, "An Act to Restrict and Limit the Use of Highways by Drivers and Pedestrians; to Regulate Traffic on Highways; to Define Certain Crimes in the Use and Operation of Vehicles; to Require Uniform and Safe Driving Practices; to Require Compulsory Accident Reports; and to Provide for Enforcement of This Act and Penalties for Violations", Approved the 16th Day of April, 1937, so as to Change Certain Penalties.

Section 1. Act 175, 1937 Acts, amended—penalties violate—use of highways by drivers, pedestrians, etc.—Be it enacted by the General Assembly of the State of South Carolina: That sub-division "(a)" of Section 33 of an Act entitled, "An to Restrict and Limit the use of Highways by Drivers and Pedestrians; to Regulate Traffic on Highways; to Define Certain Crimes in the use and Operation of Vehicles; To Require Uniform and Safe Driving Practices; to Require Compulsory Accident Reports; and to Provide for Enforcement of this Act and Penalties for Violation", approved the 16th day of April, 1937, be and the same is hereby amended by striking out the words "or both" which appear between the words "days" and "for".

Amend said Section 33 of said Act further by striking out the words "or both" which appear at the end of the last sentence in said Section 33.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 21st day of May, 1937.

(669)

No. 374.

AN ACT to Amend Section 21 of an Act, Entitled "An Act Providing for the Regulation of Aeronautics Within This State; Providing for Uniformity with Federal Laws Regulating Aeronautics; Creating a State Aeronautics Commission; Providing the Powers and Duties of Such Commission; Providing for the Promulgation and Issuance of Rules and Regulations by Such Commission and to Provide Penalties for the

Violation of the Provisions Thereof'', Known as the Uniform State Aeronautics Regulatory Act, Being No. 317 of the Acts of 1935, so as to Further Provide for the Disposition of License Fees and Gasoline Taxes Collected Thereon.

Section 1. Act 317, 1935 Acts, amended—disposition of funds received from licensing airports, landing fields, air schools and tax on aviation gasoline.—Be it enacted by the General Assembly of the State of South Carolina: That Section 21 of an Act entitled "An Act Providing for the Regulation of Aeronautics within this State, etc." approved May 21, 1935, being Act No. 317 of the Acts of 1935 is hereby amended by striking out all of said Section and inserting in lieu thereof the following to be known as Section 21:

"Section 21. There is hereby created a fund to be known as the 'State Aviation Fund'. All monies received from licensing of airports, landing fields, air schools, tax on aviation gasoline through June 30, 1938, and fifty (50%) per cent of said tax thereafter, and other license fees issued under this Act shall be paid into the State Treasury and credited to such fund. *Provided, However,* That for the fiscal year 1937-38 the amount appropriated for the South Carolina Aeronautical Commission under the General Appropriation Bill shall be transferred from the 'State Aviation Fund' to the General Fund of the State to meet said appropriation."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 21st day of May, 1937.

(671)

No. 375.

AN ACT to Repeal an Act Entitled 'An Act to Create the County Board of Commissioners of Greenville County, to Name Its Personnel, to Provide for the Election of Their Successors, to Define Its Duties and Powers, Etc.' Known as Act No. 892 of the Acts of 1936; and to Create the County Board of Commissioners of Greenville County; to Provide for the Election of Said Commissioners and Their Successors; and to Define Their Powers and Duties.

Section 1. Act 892, 1936 Acts, repealed—county board of commissioners, Greenville County.—Be it enacted by the General As-

sembly of the State of South Carolina: That an Act entitled 'An Act to Create the County Board of Commissioners of Greenville County, to Name its Personnel, to Provide for the Election of Their Successors, to Define Its Duties and Powers, Etc.' Known as Act No. 892 of the Acts of 1936, be, and the same is, hereby repealed.

§ 2. County board of commissioners, Greenville County—created.—There is hereby created a commission which shall be known as the County Board of Commissioners of Greenville County and which shall have the powers, duties and personnel hereinafter provided for.

§ 3. Personnel—appointment—term—vacancy.—Said Commission shall be composed of three members who shall be C. O. Milford, L. H. Stringer and R. W. Arrington, who shall be appointed by the Governor upon recommendation by the Greenville County Legislative Delegation, and who shall hold office at the pleasure of said Delegation; and any vacancy or vacancies in the membership of said Board shall be filled in the same manner as above prescribed.

§ 4. Commissions—pay.—Upon the passage of this Act the Governor of South Carolina shall issue commissions to each of the three (3) commissioners as provided in Section 2 hereof and upon the election of their successors, and subsequent commissioners the Governor shall issue commissions to those persons hereafter elected as a member of the said board of commissioners. No member of the board shall receive any remuneration for his services as a member of the board.

§ 5. Rules and regulations—meetings—reports—actions not to be for gain.—The Commissioners shall effect their own organization and make rules and regulations governing their own officials and the officials and administration of the department of the county's government touching any of its business and financial affairs, upon and after approval by the Legislative Delegation of Greenville County. They shall hold stated meetings at least once a month, and such meetings as shall be necessary to properly and efficiently control and manage the county's affairs and to carry out the functions of their office, and shall keep minutes of their meetings and shall make and forward to each member of the Legislative Delegation of Greenville County quarterly statements showing sums borrowed, paid and unpaid, and cash balances on hand. No member of the board shall ever participate directly or indirectly, in negotiations relating to, or in determination of, any matter or thing in which his personal

interest would be served by any particular decision on account of relationship, enterprise, business, location, or otherwise; any violation of this provision shall operate as a forfeiture of office and the appointment of any member of the board shall be revoked by the Governor on written report, signed by a majority of the Greenville County Legislative Delegation, that he has violated this provision.

§ 6. Powers—control finances—employees—school taxes and expenditures—bonds.—The said board shall have supervisory control of all the business and financial affairs of the county, including the right to designate the depositories of all county funds, and including the right and power to approve or disapprove all expenditures of county funds; *Provided, However*, if and when said commission disapproves of any expenditures of said County funds, the Legislative Delegation may review the same and its written decision shall be final and conclusive. The said Board is hereby authorized to employ a full-time business secretary and other clerical assistance whose salary or salaries shall be fixed by the Greenville County Delegation. No special levies shall be made in any School District in said County without the written approval of said Board, nor shall any bonds be issued or sold by any political subdivision of said County without the written approval of said Board. Prior to the beginning of each school year, the County Board of Commissioners shall require the Trustees of each School District in said County to file with it, and it shall be the duty of said Trustees to file with said Board, a budget covering the proposed expenditures for the School District during the ensuing year, which budget shall not exceed the estimated revenue for such School District for such school year, and the expenditures of each School District shall be kept within the limits of its budget.

§ 7. Act as advisory board—obligations approve—work under legislative delegation.—Said Board shall confer with the Greenville County Legislative Delegation as often as may be necessary and shall act as an advisory board to the various officials of Greenville County, and the school trustees of the several school districts in the county. No notes, bonds or other evidence of indebtedness, except bank checks or drafts, shall be binding upon any School District or political subdivision of Greenville County unless the same are approved by said County Board of Commissioners by Resolution adopted by a majority of the County Board of Commissioners at a duly called meeting of the Board. It shall be the duty of the said

Board to execute and carry out the business and financial affairs of Greenville County as directed or provided for by the Greenville County Legislative Delegation.

§ 8. Certain employees furnish bonds.—The said Board shall provide that no employee of the board who may handle any moneys or funds of Greenville County or any political subdivision thereof shall enter upon the discharge of the duties of his office without first securing a bond executed by a surety company regularly licensed to do business in this State in such form and in such amount as, in its discretion, may be fixed by the said Board of Commissioners. The premiums on such bonds shall be paid by the County Treasurer of Greenville County out of the general funds of the county.

§ 9. Construction.—This Act shall not be construed to repeal the provisions of any existing law authorizing the borrowing of money by Greenville County or any political subdivision thereof.

§ 10. Action by legislative delegation.—Action by the Greenville County Legislative Delegation in the General Assembly of South Carolina under the terms of this Act shall be by a majority vote of the Greenville County Legislative Delegation, including the Senator, and in a meeting duly called and assembled.

§ 11. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 12. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(672)

No. 376.

AN ACT to Provide for the Collection of Delinquent Taxes in Chesterfield County in Five Annual Installments; to Extend the Duration of the Lien of Such Taxes; to Provide That the Lien of Said Taxes Shall Attach to the Proceeds of Loss Under the Fire Insurance Policies; to Provide for the Separate Payment of the Poll Tax; to Create the Office of Deputy Tax Collector for Chesterfield County and Prescribe His Duties and Fix His Salary; to Provide That the Costs, Fees, Expenses, Mileage and Other Charges for the Collection of Delinquent Taxes Shall be Paid Into the Ordinary Fund of Chesterfield County; to Provide for the Redemption of Property from Tax Sales; to Stay the Execution and Delivery of

Tax Deeds; and to Further Regulate the Enforcement and Collection of Delinquent Taxes in Chesterfield County.

Section 1. Charges collect upon delinquent tax executions, Chesterfield County.—Be it enacted by the General Assembly of the State of South Carolina: The commissions, costs, fees, mileage and other charges to be allowed, added to, and collected from defaulting tax payers upon delinquent tax executions in Chesterfield County shall be as follows: (1) County Treasurer for issuance of delinquent tax executions, 50¢; (2) Sheriff for execution fee for each delinquent tax execution lodged in his office, 50¢, for mileage to collect delinquent taxes, or to seize and take exclusive possession of property of the defaulting tax payer, 5¢ per mile for each mile actually traveled; (3) For advertising real and personal property for sale under delinquent tax executions, 25¢; *Provided*, that the printers bill for publication of notice of sale shall be paid by Chesterfield County out of the ordinary County funds upon warrant of the County Commissioners; (4) for executing and delivering the tax title or deed to purchaser, and placing purchaser in possession, \$2.00. No other costs, commissions, expenses, fees, mileage or other charges shall be charged or collected from the defaulting tax payer upon delinquent tax executions, or otherwise, in connection with the enforcement and collection of delinquent taxes in Chesterfield County.

§ 1-A. Delinquent tax executions and charges applicable.—The schedule of fees, costs, commissions and mileage provided and specified in the next preceding Section shall apply to all delinquent tax executions of Chesterfield County, except the executions where real property has heretofore been sold, All such fees, costs, commissions and mileage in excess of the amount therein provided shall be remitted to the taxpayer.

§ 2. Pay such charges collected into treasury.—All of the said commissions, costs, expenses, fees, mileage and other charges collected from the defaulting tax payer upon delinquent tax execution, or otherwise, shall be paid into the treasury of Chesterfield County.

§ 3. Assistant deputy tax collector.—The Sheriff of Chesterfield County is hereby authorized and empowered to appoint an assistant Deputy Tax Collector who shall be under the supervision and control of the said Sheriff of Chesterfield County and shall serve as such at the pleasure of the Sheriff. The Sheriff of Chesterfield County is hereby authorized and empowered to take such bond

and security from the said Deputy Tax Collector as he shall deem necessary to secure the faithful discharge of his duties and to indemnify himself against any loss or damage occasioned or incurred by the misfeasance, nonfeasance or misconduct in office of the said Deputy Tax Collector. The premium upon such bond shall be paid from the ordinary county funds. The official bond of the Sheriff of Chesterfield County shall in all cases be liable for misfeasance, nonfeasance or misconduct in office of the said Deputy Tax Collector, or for his neglect of duty, or to fully and faithfully perform and discharge the duties of his office.

§ 4. Compensation of sheriff and treasurer—deeds to forfeited land commission.—In lieu of the said commissions, costs, expenses, fees, mileage and other charges herein required to be collected upon delinquent tax executions, and paid into ordinary County Fund of Chesterfield County, the said Sheriff and Treasurer of Chesterfield County shall receive such compensation for their services in connection with the enforcement and collection of delinquent taxes as shall be provided by law. Such compensation shall also be in lieu of all commissions, costs, fees, mileage and all other charges allowed by law upon delinquent tax executions where real property is hereafter sold and/or conveyed unto Chesterfield County Forfeited Land Commission: *Provided, However,* That the Sheriff and Treasurer of Chesterfield County shall be entitled to retain their lawful accrued costs and fees which may be hereafter collected on delinquent tax executions where real property has been sold prior to the date of the approval of this Act. *Provided, Further, However,* That no deed shall be made or delivered by the Sheriff to the Chesterfield County Forfeited Land Commission for real property, which has been sold under delinquent tax execution, until twelve (12) months from the date of the approval of this Act.

Provided, Further, That no deed or deeds or tax titles shall be made or delivered unto the Chesterfield County Forfeited Land Commission for real property sold under delinquent tax execution until the County Attorney of Chesterfield County has made and filed with the Chesterfield County Forfeited Land Commission a certificate in writing, certifying that the premises to be conveyed to the Commission has been duly sold under regular and valid proceedings for the seizure and sale of the real property of the particular defaulting taxpayer, that all of the conditions precedent to, and prerequisites and requirements of the statutes of the State of South Carolina, regulating

the seizure and sale of real property under delinquent tax executions have been duly and regularly performed. *Provided, Further,* That before it shall accept any deeds or tax titles the Chesterfield County Forfeited Land Commission shall make a proper investigation and ascertain and determine that the Sheriff is able and ready to deliver to it the possession of the real property described in the deed.

§ 5. Effect of acceptance by sheriff and treasurer of certain salaries.—The acceptance by the Sheriff and Treasurer of Chesterfield County of their general or regular salaries provided for in the Chesterfield County Supply Act for 1937 and 1938, shall be deemed to be an acceptance of the provisions of this Act and shall be deemed and adjudged to be a bar to any action against Chesterfield County by the Sheriff or Treasurer, their heirs, executors, administrators or assigns, to recover any of the costs, commissions, expenses, fees or mileage upon delinquent tax executions of Chesterfield County: *Provided, However,* That the provisions of this Section shall not apply to the fees and costs of the Sheriff which have accrued upon delinquent tax executions, where the property seized thereunder has been sold, prior to the date of the approval of this Act; *Provided, Further,* That the provisions of this Section shall not apply to the costs of the Treasurer, prior to the fiscal or tax year of 1936.

§ 6. Determine amounts due on certain 1930-1936 tax executions.—It shall be the duty of the Treasurer, Auditor, Sheriff and County Attorney of Chesterfield County, and they are hereby authorized, empowered, directed and required to forthwith examine, inspect, ascertain and determine the total amount due upon each and every delinquent tax execution, for all State, county and special taxes, except the poll tax and commutation road tax, in the hands of the Sheriff of Chesterfield County, including the lawful costs and penalties due thereon, for the fiscal or tax years of 1930, 1931, 1932, 1933, 1934, 1935, and 1936, or either or any of the said years.

§ 7. Determine amounts due on certain 1929 and prior years tax executions.—It shall be the duty of the Treasurer, Auditor, Sheriff and County Attorney of Chesterfield County, and they are hereby authorized, empowered, directed and required to forthwith examine, inspect, ascertain and determine the total amount due upon each and every delinquent tax execution, for all State, county and special taxes, except the poll tax and commutation road tax, in the hands of the Sheriff of Chesterfield County, including the lawful costs and

penalties due thereon, for the fiscal or tax years of 1929, and all prior years including all property which has been sold under delinquent tax executions unless the tax title or deed has been made and delivered.

§ 8. Uncollectible tax executions—pay certain delinquent tax executions in installments.—All of the said delinquent tax executions deemed to be wholly uncollectible shall be segregated, indorsed *nulla bona* and returned to the County Treasurer. The total sum due and unpaid upon all of the remaining delinquent tax executions, including property which has already been sold, against any taxpayer and/or property in each and every school district in Chesterfield County shall be divided into five (5) equal parts, and the Sheriff of Chesterfield County shall thereupon set up, upon proper and appropriate books the amounts due upon the said delinquent tax executions, except the poll tax and commutation road tax, if any, included therein, against each and every delinquent taxpayer and/or property in each and every school district in Chesterfield County in five equal parts in conformity with the computation by the Treasurer, Auditor, Sheriff and County Attorney. The said Sheriff is hereby authorized, empowered, directed and required to accept and receive the payment of one-fifth of the whole amount due upon all of the said delinquent tax executions against any taxpayer and/or property, except the poll tax and commutation road tax, if any, included therein, annually as hereinafter provided, and to execute and deliver his official receipt therefor; *Provided*, that in the event personal property is about to be removed or is being removed from the County of Chesterfield or being sold at either private or public sale all of the taxes then delinquent on said property shall become immediately due and payable and the Sheriff of Chesterfield County shall proceed to collect the same in the manner now provided by law for collection of delinquent taxes. *Provided, Further*, That in case any real and/or personal property is sold and conveyed under and by direction of a decree of the Court of Common Pleas in an action of foreclosure, partition or otherwise, the officer of the Court making such sale shall pay all taxes and/or assessments then due and payable upon such property out of the proceeds of such sales; and, *Provided, Further*, That the first of the said installments of delinquent taxes shall become due and payable January 1, 1938, and each of the four remaining installment payments shall become due and payable on the first day of January in each and every year there-

after until the whole amount of the said delinquent taxes, together with the costs and penalties thereon shall have been fully paid and discharged, and if either or any of the said installments shall not be paid on or before the 1st day of January in the year in which the same shall have become due and payable, the remaining unpaid installments shall become due and payable. The delinquent taxpayer shall have the right at any time before sale to pay all past due installments which shall have the effect of reinstating such taxpayer under the provisions of this Act. *Provided, Further,* That in the event any such delinquent taxpayer shall sell and convey any property encumbered by the lien for the delinquent taxes which have been herein directed to be segregated, the grantee of such property may upon application therefor to the Sheriff at any time before the remaining unpaid installments have been accelerated and matured, as provided herein, continue the payment of the delinquent installments, as authorized in this Act; *Provided, Further,* That if any delinquent taxpayer shall be adjudged a bankrupt in the United States Courts, or shall make assignment for the benefit of his creditors, the said delinquent installments then remaining unpaid shall *ipso facto* become immediately due and payable, and the Sheriff of Chesterfield County is hereby enjoined, directed and required to take immediate and appropriate action to enforce the collection of the amount due upon such delinquent tax executions by the seizure and sale of the property covered by the lien of the said delinquent taxes and/or such other appropriate means as is provided by law; *Provided, Further,* That such delinquent taxpayers shall have the right, and the Sheriff of Chesterfield County is hereby directed and required to accept, receive and receipt for all, or so many full installments of the said delinquent taxes as such taxpayer shall desire to pay at any one time: *Provided, Further,* That such installment payments shall be applied upon the oldest execution, or executions, and if the amount of any such installment, or installments, shall be in excess of the amount of taxes, costs and penalties due upon one or more of the oldest executions, the excess shall be applied as a partial payment upon the next oldest execution.

§ 9. Books and forms—sheriff keep receipt book.—The Board of County Commissioners of Chesterfield County is hereby directed and required to purchase and supply the Sheriff of Chesterfield County with suitable and appropriate books and forms to keep the necessary records and make the reports herein required, and the

Treasurer of Chesterfield County to pay the warrant of the County Commissioners for such books and forms and credit the same against the general county fund. The Sheriff shall keep a bound receipt book wherein a carbon duplicate of each and every receipt issued by him for the payment of the said delinquent taxes shall be retained in consecutive order as issued. The receipt for the payment of the said installments of delinquent taxes shall refer to the executions, or executions, upon which the said payment is applied and indicate the year, or years for which the said execution, or executions, were issued and the number of such installment or installments applied thereon. The said report must conform to and contain the information required by sub-section 29 of Section 2865 of the Code of Laws of South Carolina, 1932.

§ 10. Sheriff settle monthly and report to treasurer—treasurer allocate funds.—The Sheriff of Chesterfield shall pay over unto the County Treasurer the moneys collected by him upon the said delinquent tax executions on or before the tenth day of each and every month and transmit therewith a certified report showing the execution, or executions, upon which the same were collected, and such other information as the Treasurer of Chesterfield County may require; and the said Treasurer shall thereupon apportion and allocate the said moneys to the amounts, funds or purposes for which the said taxes were levied.

§ 11. Collection of delinquent poll taxes.—The Sheriff of Chesterfield County is hereby directed and required to segregate and set up the delinquent poll taxes in a separate book, according to the respective school districts of Chesterfield County and to accept, receive and receipt for the payment of the delinquent poll taxes of any taxpayer. Such delinquent taxpayer shall not be required to pay any other tax, or taxes, as a condition precedent for the payment of his delinquent poll taxes. The Sheriff shall pay over unto the County Treasurer monthly all poll taxes collected separately from other taxes, and the Treasurer shall thereupon apportion the same to the respective school districts entitled thereto.

§ 12. Sheriff notify delinquent taxpayers and others taxes due.—Wherever the Sheriff of Chesterfield County has set up the books containing the delinquent taxes, as provided for herein, upon written request therefor, any such delinquent taxpayer, or any person having an interest in the property covered by such tax lien, the Sheriff shall advise such taxpayer, or interested person, as to the

aggregate amount due upon the delinquent tax executions against any delinquent taxpayer and/or property in his hands, together with the costs and penalties due thereon, and the amount of each annual installment due by said delinquent taxpayer and/or upon such property. On or before October 1st, 1937, the Sheriff of Chesterfield County shall mail to the last known post office address of every delinquent taxpayer whose delinquent taxes have been segregated pursuant to the provisions of this Act a statement in writing containing the exact amount of his delinquent taxes, the amount of the annual installments required to be paid, and notice that non-payment of the first of any subsequent installment when due shall forfeit the right of the defaulting taxpayer to pay his delinquent taxes in the installments herein provided. On or before the first day of October and each year thereafter, the Sheriff shall mail a similar notice to every delinquent taxpayer that has accepted the provisions of this Act.

§ 13. Attorney, auditor, clerk of court and treasurer assist sheriff perfect records.—In compiling, preparing and setting up the books of the Sheriff, as provided for herein, and to the end and purposes that the property upon which taxes are delinquent may be listed in the names of the true owners thereof, the Sheriff may call to his assistance in connection therewith, the Treasurer, Auditor, and County Attorney, who are hereby directed and required to aid, assist and cooperate with the Sheriff in the performance of such duty. The Sheriff shall return to the County Treasurer such delinquent tax executions as are found to be incorrect, defective or invalid, and the County Treasurer shall thereupon make such correction, alterations and amendments to such incorrect, defective and invalid executions as shall be necessary to perfect them, and/or cancel and issue new executions, as the facts and circumstances may require. The County Auditor shall thereupon make such amendments, corrections and alterations of his returns, duplicates and abstracts as the facts and circumstances may require. The Clerk of Court of Chesterfield County is hereby directed and required to aid, assist and cooperate with the Sheriff, Treasurer, Auditor and County Attorney in setting up the said delinquent tax books in the Sheriff's office, and in altering, amending and correcting the delinquent tax executions on file therein, and to investigate, inspect and compile from the records of his office such information as may be required with respect to the title and encumbrances of record affect-

ing any property against which the said delinquent tax executions have been issued.

§ 14. Examine certain persons as to tax executions.—The County Auditor, upon ten (10) days' notice may summons any delinquent taxpayer, mortgagee, or any other person anywise interested in such property, to appear before him, for examination under oath, upon any matter relevant to the said delinquent tax executions. The failure, neglect or refusal of any person to respond to the said summons shall constitute a misdemeanor and shall be punishable as such. Any person, who shall swear falsely as to any material fact, upon such examination, shall be guilty of a perjury and shall suffer the pain and penalties of that offense.

§ 15. Auditor purchase property sold for taxes when no bids equal taxes and costs due.—When any property is sold by the Sheriff, under any of the said delinquent tax executions, if there be no bid equal to the amount of taxes, penalties and costs of such execution, or executions, the County Auditor shall purchase the property so sold for the Chesterfield County Forfeited Land Commission, as the actual purchaser thereof for the amount of the taxes, costs, penalties and charges.

§ 16. Redemption of property from tax sale.—Compliance with the provisions of this Act and the payment in full of all delinquent taxes for which any real property has been sold, shall operate as a redemption of such property from the tax sale; *Provided, However,* That, if the delinquent taxpayer shall fail, or neglect to accept the provisions of this Act and pay all installments of delinquent taxes, as herein provided, the Sheriff of Chesterfield County shall convey the property to the Chesterfield County Forfeited Land Commission.

§ 17. Allocation of funds collected.—The monies collected upon the said delinquent tax executions and paid over unto the County Treasurer shall be appointed by him and allocated to the fund, account and purpose for which the original levies were made.

§ 18. When taxes deemed paid—lien for delinquent taxes.—Wherever a taxpayer shall have paid all of his current taxes, and the annual installments of delinquent taxes, as provided for in this Act, and his delinquent poll taxes and commutation road taxes, if he shall be subject to the payment of such taxes, he shall be deemed to have paid all State, County and Special taxes, due and payable at such time and for such year, subject to the provisions of this Act providing for the acceleration and maturing of delinquent installments;

and *Provided Further*, That a lien for such delinquent taxes shall be revived, renewed and extended for a period of ten years from the date of the payment of the last delinquent installment made by such delinquent taxpayer; *Provided Further*, That the liens of the said delinquent taxes are hereby declared to be first liens upon the proceeds of any loss under any insurance policy upon the property, or any part thereof, encumbered by the lien of the said delinquent taxes. In case the proceeds of loss under any policy of insurance upon the property, or any part thereof, encumbered by the lien of the said delinquent taxes, are paid over by the insurer without satisfying the said delinquent taxes, such person, firm or corporation paying over the proceeds of loss under such policy of insurance shall be liable to Chesterfield County for the payment of the said delinquent taxes to the extent of such loss, and the person, firm or corporation receiving the proceeds of such loss shall be liable as for a conversion for the payment of such lien or liens, to the extent of the sums so received.

§ 19. Segregate and apportion taxes.—Nothing contained in this Act shall be taken, deemed or construed to prevent the segregation and apportionment of taxes upon the request of any grantee or mortgagee, as provided by the general law and all taxes so apportioned shall be treated in conformity with the provisions of this Act.

§ 20. Liability of officers.—The officers named in this Act shall be responsible, and their official bond shall be liable, for any loss and/or damages suffered or incurred by Chesterfield County for his or their failure, neglect, refusal or delay in fully and faithfully complying with the terms and provisions of this Act, and fully and faithfully performing the duties herein devolved upon each of them.

§ 21. Cumulative—repeal.—This Act shall be taken and construed as cumulative to and as an amendatory of the general tax laws and as repealing only such Acts or parts of Acts as may be inconsistent with the provisions hereof. This Act shall be deemed to repeal all local and special laws pertaining to the extension of time for the payment of delinquent taxes in Chesterfield County, but any taxpayer who has accepted and complied with the provisions of any such Act or Acts shall be entitled to complete the payment of his delinquent taxes in accordance with the provisions of such Act or Acts.

§ 22. Invalidity.—If any clause, sentence, paragraph, or any part of this Act shall for any reason be adjudged by any Court of

Competent Jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which said judgment is rendered.

§ 23. **Further repeal.**—All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 24. **Time effective.**—This Act shall take effect upon its approval by the Governor.

Approved the 27th day of May, 1937.

(583)

No. 377.

AN ACT to Provide for the Appointment and Commissioning of Persons to Positions Created by Statute, in All Counties of this State Having a Population Under the United States Census of 1930, of Between 117,000 and 101,060, Where by the Statute the Duty is Placed Upon the Governor to Appoint Such Persons to Any Position so Created Upon the Recommendation of a Certain Number or Proportion of the County Legislative Delegation or of the House Delegation and the Senator from Such County as May be Required by Law, and Where the Governor Fails or Has Failed to Make Such Appointment in Compliance with Such Statute Within Ten Days from the Date of the Filing Thereof in His Office.

Section 1. Appointment and commission of persons recommended to positions created by statute when Governor's duty is to appoint such persons recommended and fails to do so within ten days in counties of 101,060 to 117,000.—Be it enacted by the General Assembly of the State of South Carolina: That in all cases where, by Statute now of force or hereafter enacted, the Governor of this State is or shall be required to appoint any person to any position created by statute in any county of this State having a population of between 117,000 and 101,060, as shown by the United States Census of 1930, upon the recommendation of a certain number or proportion of the County Legislative Delegation from such county, or by a certain proportion of the House Delegation and the Senator of said County, as the case may be, it shall be the Governor's duty to make such appointments within ten days from the date of the filing in his office of such recommendation signed by the requi-

site number of members of the House and Senate, as may be required under the terms of the particular Statute relating to that particular position; and upon the failure of the Governor to make any such appointment and certify the same immediately to the Secretary of State within the time limit herein provided, such recommendation so signed and filed in the office of the Governor shall of itself, automatically as matter of law, immediately operate as an effectual appointment of the person so recommended, having the same legal force and effect as though the Governor himself had made the appointment and thereupon the Secretary of State is required to immediately, upon the expiration of said ten days period, issue to the person so appointed a Commission in the usual form showing such appointment and deliver it to the appointee, who shall upon production thereof be entitled to take over the office or other position to which he has been appointed and any person in possession thereof, shall forthwith surrender the same to him, together with all records and property relating thereto.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

This act became effective, when the Governor, to whom it was presented May 14, 1937, neither approved it nor returned it to the house in which it originated within three days, the General Assembly being in session.

(582)

No. 378.

AN ACT to Amend Subdivision (c), Section 2558, Code of Laws of South Carolina, 1932, Relating to License Taxes Upon Hydro-Electric Power, as Amended by Act No. 203 of the Acts of the General Assembly of South Carolina, 1935, Entitled "An Act to Amend Section 2558" Etc., Approved April 27, 1935, so That the Provisions of Said Section 2558 and Sections 2559, 2560, 2561, 2562, 2563 and 2564 of Said Code Relating to the Collection and Disposition of Such Tax, Shall Not Apply to Any Person, Firm or Corporation Owning or Operating a Hydro-Electric Generating Plant or Steam Plant Furnishing Power to An Industrial Corporation, Which Industrial Corporation Owns all of the Capital Stock of the Corporation Owning and Operating Such Generating Plant.

Section I. § 2558, 1932 Code, amended—§§ 2558-2564, not apply to power furnished by generating plant to industrial cor-

poration, when such industrial corporation own and operate such plant.—Be it enacted by the General Assembly of the State of South Carolina: That subdivision (c) of Section 2558, Code of Laws of South Carolina, 1932, as amended by Act No. 203 of the Acts of the General Assembly of South Carolina, 1935, entitled "An Act to Amend Section 2558", Etc., approved April 27, 1935, be, and the same is, hereby amended by adding at the end thereof the following: "*Provided, Further, That where the entire capital stock of a corporation owning and operating plants manufacturing or generating electric power is owned by an industrial corporation, the provisions of Section 2558 to 2564 shall not apply to such power as may be furnished by said generating corporation to such industrial corporation for the use and consumption by said industrial corporation, or for use upon the premises of such industrial corporation by its bona fide operatives or employees. but the tax shall be paid upon so much thereof as may be sold to other than said industrial corporations employees.*", so that, when amended, said subdivision (c) of said Section shall read as follows:

"Section 2558. (c): In addition to all other taxes of every kind now imposed by law, every person, firm or corporation engaged in the business of selling electric power within the State of South Carolina shall be subject to the payment of an excise, license, or privilege tax of five-tenths of one mill upon each kilowatt hour of electric power sold in the State of South Carolina and said tax shall be paid to and collected by South Carolina Tax Commission: *Provided, That if such seller procures electric power which has been subject to the payment of the excise, license, or privilege tax hereinabove provided in subdivisions (a) and (b), a credit on said sales tax to the amount of five-tenths (5/10) of one mill on each kilowatt hour sold, shall be allowed: Provided, Further, That the provisions of Sections 2558 to 2564 shall not apply to the electric power manufactured or generated in another State and brought into this State until such power has lost its interstate character and immunities: Provided, Further, That the provisions of Sections 2558 to 2564 shall not apply to any person, firm or corporation owning and operating an electric manufacturing or generating plant of ten horse power or less, nor shall the provisions of Sections 2558 to 2564 apply to industrial plants manufacturing or generating power for its own use, or for use upon its own premises by its bona fide operatives or employees but the tax shall be paid upon so much thereof as may be sold to other than its employees: Provided, Further, That the provisions*

of Sections 2558 to 2564 shall not apply to municipalities manufacturing or generating electricity for the use of its customers: *Provided, Further*, That where the entire capital stock of a corporation owning and operating plants manufacturing or generating electric power is owned by an industrial corporation, the provisions of Sections 2558 to 2564 shall not apply to such power as may be furnished by said generating corporation to such industrial corporation for the use and consumption by said industrial corporation, or for use upon the premises of such industrial corporation by its *bona fide* operatives or employees, but the tax shall be paid upon so much thereof as may be sold to other than said industrial corporations employees.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of May, 1937.

(400)

No. 379.

AN ACT to Authorize and Empower the County Board of Education of Williamsburg County to Refinance Any School District Bond Issue or Issues of Williamsburg County.

Section I. County board of education refinance school district bonds, Williamsburg County.—Be it enacted by the General Assembly of the State of South Carolina: The County Board of Education for Williamsburg County is authorized and empowered to refinance any school district bond issue or issues whenever in its judgment it is deemed for the best interest of the School District. The County Board of Education is authorized and empowered in refinancing any school district bond issue or issues to pledge the bonds to be refinanced in obtaining the funds with which to refinance the same. The County Board of Education shall obtain the funds from such source and upon such terms as it deems wise and proper. Said Board is hereby empowered to do any and all things necessary in making a proper and legal pledge in refinancing any school district bond issue or issues or any number of the bonds at any time the same may be obtained.

§ 2. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(584)

No. 380.**AN ACT to Authorize the Public Works Administration of the Federal Government to Construct and Equip a Junior College in Union County by Federal Grant and Pledge of Tuition Fees Without Cost to Taxpayers of Union County.****Section 1. PWA construct junior college in Union County.—**

Be it enacted by the General Assembly of the State of South Carolina: The Public Works Administration of the Federal Government is hereby authorized to construct a Junior College in Union County according to such rules, regulations, and plans as they shall designate.

§ 2. **Union County contract for loan or grant.**—The County of Union is hereby empowered to enter into contract with the Public Works Administration, or any other Federal Agency, to obtain a loan and grant for the construction and equipment of such building and/or buildings as will adequately house a Junior College in the County of Union.

§ 3. **Board agency enter into contract with PWA.**—The proper Agency for the entering into the contract with the Public Works Administration leading to the construction of a Junior College in Union County shall be a Board composed of seven (7) men designated by the Union County Legislative Delegation.

§ 4. **Project self-liquidating.**—This project shall be self-liquidating and no liability whatsoever shall be imposed upon the County of Union to pay the cost or any portion of the same. The Board as set forth in Section 3 hereof are hereby empowered to pledge any and all fees to the Public Works Administration to liquidate the aforesaid project.

§ 5. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 6. This Act shall take effect immediately upon its approval by the Governor.

Approved the 14th day of May, 1937.

(667)

No. 381.**AN ACT to Amend Act 610 of the Acts of 1935, Entitled 'An Act to Provide a System of Workmen's Compensation in the State of South Carolina, and to Further Provide for Securing the Payment of Such Compensation' by Making Further Provisions in Reference to Exemptions, Classifica-**

tions, Compensation, in Raising the Funds for the Carrying Out of Said Act.

Section 1. Act 610, 1935 Acts, amended—commencement of compensation.—Be it enacted by the General Assembly of the State of South Carolina: That Section 28 of Act 610 of the Acts of the General Assembly of South Carolina, 1935, entitled 'An Act to Provide a System of Workmen's Compensation in the State of South Carolina, and to Further Provide for Securing the Payment of Such Compensation', be, and the same is hereby, amended by striking out the word 'seven' therein and inserting in lieu thereof the word 'three', and by striking out the words and figures 'twenty-eight (28)' and inserting in lieu thereof the words and figures 'fourteen (14)'; so that said Section 28, when so amended, shall read as follows:

"Section 28. No compensation shall be allowed for the first three calendar days of disability resulting from an injury, except the benefits provided for in Section 25; *Provided, However,* That in case the injury results in disability of more than fourteen (14) days, the compensation shall be allowed from the date of the disability."

§ 2. Same—total disability—rate of compensation.—That Section 29 of said Act be, and the same is hereby, amended by striking out the figure '50' therein and inserting in lieu thereof the word and figures 'sixty (60)', and by striking out the words and figures 'five thousand five hundred (\$5,500.00)' and inserting in lieu thereof the words and figures 'six thousand (\$6,000.00)'; so that said Section, when so amended, shall read as follows:

"Section 29. Where the incapacity for work resulting from the injury is total, the employer shall pay, or cause to be paid, as hereinafter provided, to the injured employee during such total disability, a weekly compensation equal to sixty (60) per centum of his average weekly wages, but not more than twenty-five dollars, nor less than five dollars, a week; and in no case shall the period covered by such compensation be greater than five hundred weeks, nor shall the total amount of all compensation exceed six thousand (\$6,000.00) dollars."

§ 3. Same—partial disability—rate of compensation.—That Section 30 of said Act be, and the same is hereby amended by striking out the figures '50' and inserting in lieu thereof the word and figures 'sixty (60)', so that said Section, when so amended, shall read as follows:

Section 30. Except as otherwise provided in the next section hereafter, where the incapacity for work resulting from the injury is partial, the employer shall pay, or cause to be paid, as hereinafter provided, to the injured employee during such disability, a weekly compensation equal to sixty (60) per centum of the difference between his average weekly wages before the injury and the average weekly wages which he is able to earn thereafter, but not more than twenty-five (\$25.00) dollars a week, and in no case shall the period covered by such compensation be greater than three hundred weeks from the date of injury. In case the partial disability begins after a period of total disability, the latter period shall be deducted from the maximum period herein allowed for partial disability.

§ 4. Same—schedule of disability for certain injuries—That sub-paragraphs (a), (b), (c), (d), (e), (h), (j), (m), (n), (o), (p), (q), (s) of Section 31 be, and the same are hereby amended by striking out said sub-paragraphs and inserting in lieu thereof the following to be known as sub-paragraphs (a), (b), (c), (d), (e), (h), (j), (m), (n), (o), (p), (q), (s), to wit:

“Section 31. (a) For the loss of a thumb sixty (60%) per centum of the average weekly wages during sixty (60) weeks.

(b) For the loss of a first finger, commonly called the index finger, sixty (60%) per centum of average weekly wages during thirty-five (35) weeks.

(c) For the loss of a second finger, sixty (60%) per centum of average weekly wages during thirty (30) weeks.

(d) For the loss of a third finger, sixty (60%) per centum of average weekly wages during twenty (20) weeks.

(e) For the loss of a fourth finger, commonly called the little finger, sixty (60%) per centum of average weekly wages during fifteen (15) weeks.

(f) The loss of the first phalange of the thumb or any finger shall be considered to be equal to the loss of one-half of such thumb or finger, and the compensation shall be for one-half the periods of time above specified.

(h) For the loss of a great toe, sixty (60%) per centum of the average weekly wages during thirty (30) weeks.

(j) For the loss of one of the toes other than a great toe, sixty (60%) per centum of the average weekly wages during ten (10) weeks.

(m) For the loss of a hand, sixty (60%) per centum of the average weekly wages during one hundred fifty (150) weeks.

(n) For the loss of an arm, sixty (60%) per centum of average weekly wages during two hundred (200) weeks.

(o) For the loss of a foot, sixty (60%) per centum of average weekly wages during one hundred twenty-five (125) weeks.

(p) For the loss of a leg, sixty (60%) per centum of average weekly wages during one hundred and seventy-five (175) weeks.

(q) For the loss of an eye, sixty (60%) per centum of average wages during one hundred (100) weeks.

(s) For the complete loss of hearing in one ear, sixty (60%) per centum of average wages during seventy (70) weeks; for the complete loss of hearing in both ears, sixty (60%) per centum of average wages during one hundred fifty (150) weeks.

§ 5. Same—methods of paying compensation when employee's death results proximately from accident—payment to aliens.—That Section 38 of the said Act be, and the same is hereby amended by striking out the word and figures, fifty (50), in said Section and inserting in lieu thereof the word and figures sixty (60) so that said Section, when so amended, shall read as follows:

“Section 38. If death results proximately from the accident and within two years thereafter, or while total disability still continued, and within six years after the accident, the employer shall pay for or cause to be paid, subject, however, to provisions of the other sections of this Act in one of the methods hereinafter provided, to the dependents of the employee, wholly dependent upon his earnings for support at the time of accident, a weekly payment equal to sixty (60%) per cent of his weekly wages, but not more than twenty-five (\$25.00) dollars, nor less than five (\$5.00) dollars, a week for a period of three hundred and fifty weeks from the date of the injury, and burial expenses not exceeding two hundred (\$200.00) dollars. If the employee leaves dependents only partly dependent upon his earnings for support at time of the injury, the weekly compensation to be paid, as aforesaid, shall equal the same proportion of the weekly payments for the benefit of persons wholly dependent as the amount contributed by the employee to such partial dependents bears to the annual earnings of the deceased at the time of his injury. When weekly payments have been made to an injured employee before his death, the compensation to dependents shall begin from the date of the last of such payments, but shall not continue more than three hundred and fifty weeks from the date of the injury. Compensation un-

der this Act to aliens not residents (or about to become non-residents) of the United States or Canada shall be the same in amount as provided for residents, except that dependents in any foreign country shall be limited to surviving wife and child or children, or if there be no surviving wife or child, or children, to surviving father or mother whom the employee has supported, either wholly or in part of the period of three years prior to the date of the injury, and except that the Commission may, at its option, or upon the application of the insurance carrier, shall commute all future installments of compensation to be paid to such aliens by paying or causing to be paid to them one-half of the commuted amount of such future installments of compensation as determined by the Commission.

§ 7. Same—insurance carriers—tax on premiums—report and pay tax semi-annually—collection of tax.—That sub-section (c) of Section 73 be, and the same is hereby, amended by striking out said sub-section (c) and inserting in lieu thereof the following to be known as sub-section (c) of said Section 73, to-wit:

Section 73 (c). Every person, partnership, association, corporation, whether organized under the laws of this or any other state or county, every mutual company or association and every other insurance carrier insuring employers in this State against liability for personal injuries to their employees, or death caused thereby, under the provisions of this Act, shall as hereinafter provided, pay a tax upon the premium received whether in cash or notes, in this State, or on account of business done in this State, for such insurance in this State, at the rate of two and one-half ($2\frac{1}{2}\%$) per cent of the amount of such premium, which tax shall be in lieu of all other taxes on said premiums, which tax shall be assessed and collected as hereinafter provided: *Provided, however,* That such insurance carriers shall be credited with all canceled or returned premiums actually refunded during the year on such insurance including any unused premiums refunded or credited to policy holders as dividends; *Provided, further,* That from and after the First day of July 1937, the tax herein imposed shall be paid in the manner provided in this Act, at the rate of four and one-half ($4\frac{1}{2}\%$) per centum of the amount of such premium, or in the case of any premium which includes any period prior to said date, at the rate of two and one-half ($2\frac{1}{2}\%$) per centum of the portion of said premium corresponding *pro rata* to said period and at the rate of four and one-half ($4\frac{1}{2}\%$) per centum of remaining portion thereof; *Provided, Further,* Every em-

ployer carrying his own risk under the provisions of Section 67 shall, under oath, report to the Insurance Commissioner his payroll, subject to the provisions of this Act. Such report shall be made in form prescribed by the Insurance Commissioner, and at the time herein provided for premium reports by insurance carriers. The Insurance Commissioner shall assess against such payroll a maintenance tax computed by taking such per cent of the basis premiums charged against the same or most similar industry or business taken from the manual of insurance rates that are in force in this State, as is imposed upon premiums of insurance companies, to wit: On the amount thereof corresponding *pro rata* to the period from the effective date of this Act to July 1, 1937, at the rate of two and one-half (2½%) per cent of said amounts; and for all periods from and after July 1, 1937, at the rate of four and one-half (4½%) per cent of said amounts. Such assessments shall be paid to the Insurance Commissioner, which in turn shall deposit the same with the State Treasurer. Upon receipt of said money the State Treasurer shall place the whole thereof to the credit of the South Carolina Industrial Commission for its support. As the Commission may from time to time determine, the State Auditor and State Treasurer, shall make transfers to the General Funds of the State from the funds of the South Carolina Industrial Commission, so as to refund all appropriations heretofore or hereafter made to said fund out of the General Funds.

§ 8. Same—insurance carriers—make returns—pay tax—funds transfer—tax rates.—That sub-section (d) of Section 73 of said Act be, and the same is hereby, amended by striking out said sub-section (d) and inserting in lieu thereof the following, to be known as sub-section (d) of Section 73, to wit:

Section 73(d). Every such insurance carrier shall, for the six months ending December thirty-first, nineteen hundred and thirty-five, and semi-annually thereafter, make a return, verified by the affidavit of its president and secretary, or other chief officers or agents, to the Commissioner of Insurance, stating the amount of all such premiums and credits during the period covered by such return. Every insurance carrier required to make such return shall file the same with the Commissioner of Insurance within thirty days after the close of the period covered thereby, and shall at the same time pay to the State Insurance Commissioner a tax of Two Dollars and Fifty Cents (\$2.50) on each one hundred (\$100.00) Dollars of such premiums ascertained, as provided in sub-section (c) hereof, less

returned premium on cancelled policies including any unused premium refunded or credited to policy holders as dividends. Upon receipt of said money the Insurance Commissioner shall deposit the same with the State Treasurer, and the State Treasurer shall place the whole thereof to the credit of the South Carolina Industrial Commission for its support, As the Commission may from time to time determine, the State Auditor and State Treasurer shall make transfer to the general funds of the State from the funds of the South Carolina Industrial Commission, so as to refund all appropriations heretofore or hereafter made to said fund out of the general funds: *Provided Further*, That all returns filed for the six months ending June 30, 1937, shall show separately all premiums which include any period prior to the First day of July, 1937, and the portions of such premiums corresponding *pro rata* to the period, prior to such date; and from and after the First day of July, 1937, every insurance carrier required to make such return shall pay to the State Insurance Commissioner a tax of four and one-half (\$4.50) dollars on each One Hundred (\$100.00) Dollars of such premium ascertained, as provided in sub-section (c) hereof, or in the case of any premium which includes any period prior to the First day of July, 1937, a tax of two Dollars and Fifty Cents (\$2.50) on each One Hundred (\$100.00) Dollars of the portion of said premiums corresponding *pro rata* to such periods, and four and one-half (\$4.50) dollars on each One Hundred (\$100.00) Dollars of the remaining portion thereof, less return premiums on cancelled policies including any unused premiums refunded or credited to policy holders as dividends.

§ 9. Same—insurance carriers—collection of tax.—That sub-section (f) of said Section 73 of said Act be, and the said is hereby, amended by striking out said sub-section (f) and inserting in lieu thereof the following, to be known as sub-section (f) of Section 73, to wit:

Section 73 (f). If any such insurance carrier shall withdraw from business in this State before the tax shall fall due, as herein provided, or shall fail or neglect to pay such tax, the Commissioner of Insurance shall at once proceed to collect the same; and he is hereby empowered and authorized to employ such legal process as may be necessary for that purpose, and, when so collected, he shall pay the same into the State Treasury. The suit may be brought by the Commissioner of Insurance, in his official capacity, in any court of this state having jurisdiction. Reasonable attorney fees may be taxed as costs therein, and process may issue to any county of the State, and

may be served as in civil actions, or in case of unincorporated associations, partnerships, inter-indemnity contracts, upon any agent of the parties thereto upon whom process may be served under the laws of this State. Upon receipt of said money the State Treasurer shall place the whole thereof to the credit of the South Carolina Industrial Commission for its support. As the Commission may from time to time determine, the State Auditor and State Treasurer shall make transfers to the General Funds of the State from the funds of the South Carolina Industrial Commission, so as to refund all appropriations heretofore or hereafter made to said fund out of the General Fund.

§ 10. Same—accelerate payment of compensation.—That Section 44 of said Act be, and the same is hereby, amended by striking out the words and figures commuted so as not to exceed six (6%) per cent nor to be less than two (2%) per cent, so that said section, when so amended, shall read as follows:

Section 44. Whenever any weekly payment has been continued for not less than six weeks, the liability therefor may, in the usual cases, where the employee applies and requests, and the Industrial Commission deems it to be to the best interests of the employee or his dependents, or where it will prevent undue hardships on the employer or his insurance carrier, without prejudicing the interest of the employee or his dependents, be redeemed in whole or in part, by the payment by the employer of a lump sum which shall be fixed by the Commission, but in no case to be less than ninety (90%) per cent of, nor to exceed the commutable value of the future installments commuted so as not to exceed six (6%) per cent nor to be less than two (2%) per cent. The Commission, however, in its discretion, may at any time in the case of a minor who has received permanently disabling injuries, either partial or total, provide that he be compensated, in whole or in part, by the payment of a lump sum, the amount of which shall be fixed by the Commission but in no case to be less than ninety (90%) per cent of, nor to exceed the commutable value of the future installments which may be due under this Act.

§ 11. Same—total compensation.—That Section 41 of said Act, be, and the same is hereby, amended by striking out said section and inserting in lieu thereof the following, to be known as Section 41:

'Section 41. The total compensation payable under this Act shall in no case exceed six thousand (\$6,000.00) dollars.'

§ 12. Same—commission—rules and regulations—process and procedure—issuance and service of subpoenas—subpoena and ex-

amine witnesses and records—depositions.—That subsection (a) of Section 54 of the Act be, and the same is hereby amended by striking out said subsection (a) and inserting in lieu thereof the following to be known as subsection (a) of Section 54, to wit:

Section 54(a). The Commission may make rules not inconsistent with this Act, for carrying out the provisions thereof. Process and procedure under this Act may be as summary and simple as reasonably may be. The Commission or any member thereof, or any person deputized by it, shall have the power, for the purpose of this Act, to subpoena witnesses, to administer or cause to have administered oaths and to examine or cause to be examined such parts of the books and records of the parties to be proceedings as relate to questions in dispute. Any party to a proceeding pending under this Act, or its or their attorney, may cause to be taken the depositions of witnesses to be taken either within or without the State, to be taken either by commission or *de bene esse*. Such Depositions shall be taken in accordance with and subject to the same provisions, conditions and restrictions as apply to the taking of like depositions in civil actions at law in the Courts of Common Pleas and the same rules with respect to the giving of Notice to the opposite party, the taking and transcribing of testimony and the transmission and certification thereof, and matters of practice relating thereto shall apply; *Provided*, That in any case where testimony shall be taken by commission, the commission shall be issued, upon request of the party or attorney, by some member of the Commission; *Provided, Further*, That the provisions herein shall not be so construed as to prevent the Commission or Deputy Commissioner from issuing commissions for the taking of testimony, even in the absence of any application therefor, when in their judgment it is deemed necessary or appropriate.

That sub-section (c) of Section 54 of said Act be, and the same is hereby, amended by striking out said sub-section (c) and inserting in lieu thereof the following, to be known as sub-section (c):

“Section 54(c). The Court of Common Pleas shall, on application of the Commission or any member or deputy thereof or the employer, insurer or its or their attorneys enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and records, and shall have the power to punish as for contempt of said court, by fine or imprisonment, or both, the unexcused failure or refusal to attend and give testimony or produce books, papers and records as may have been re-

quired in any subpoena issued by the Commission or a member or deputy thereof. The Commission or a member or deputy thereof shall have the power and authority to issue to the sheriff of the county in which any hearing is held a warrant requiring him to produce at the hearing any witness who shall have ignored or failed to comply with any subpoena issued by the Commission and duly served upon said witness, and such warrant shall authorize and empower the sheriff to arrest and produce at the hearing such witness, and it shall be his duty so to do; *Provided*, That the failure of witnesses so to appear in response to any such subpoena may be excused on the same grounds as provided by law in the courts of this State as to the attendance of witnesses and jurors."

§ 13-a. Same—exemptions—not to admit law as evidence, or argue in tort actions not arising hereunder.—That Section 14 of said Act be and the same is hereby amended by striking out sub-section (a) of Section 14 and inserting the following as sub-section of Section 14:

"Section 14 (a). This Act shall not apply to railroads or railroad employees, to railway express companies or railway express company employees, nor shall it be construed to in any way repeal, amend, alter or affect the law of this State relating to the liability of railroads or railway express companies for injuries to their respective employees; nor upon the trial, or any action *in tort* for injuries not coming under the provisions of this Act, shall any provisions herein be placed in evidence or be permitted to be argued to the jury.

§ 13-(b). Same—public divisions and their employees cannot reject payment and acceptance of compensation—such employees sue recover benefits.—That Section 8 of said Act be amended by adding at the end of said Section the following:

'Any employee of the State or any political sub-division, or any department thereof, or of any county, or any municipal corporation shall be entitled to bring suit against his said employer for the recovery of the benefits to which he may be entitled, under the terms and provisions of this Act; and consent to such suit or suits is hereby expressly given', so that said Section when so amended shall read as follows:

"Section 8. Neither the State nor any municipal corporation within the State, nor any political sub-division thereof, nor any employee of the State or of any such corporation or sub-division, shall

have the right to reject the provisions of this Act relative to payment and acceptance of compensation, and the provisions of Section 5, 6, 15, 16 and 17 shall not apply to them. Any employee of the State or any political sub-division, or any department thereof, or of any county, or any municipal corporation shall be entitled to bring suit against his said employer for the recovery of the benefits to which he may be entitled, under the terms and provisions of this Act; and consent to such suit or suits is hereby expressly given."

§ 14. **Invalidity.**—If any Section or provision of any Section of this Act be decided by the Courts to be unconstitutional or invalid, the same shall not affect the validity of this Act as a whole, or any part thereof other than the part so decided to be unconstitutional or invalid.

§ 15. **Repeal.**—All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 16. **Time effective.**—This Act shall become effective July 1, 1937.

Approved by the Governor May 21, 1937.

(668)

No. 382.

AN ACT to Amend Act No. 406 of the Acts of the General Assembly for the Year 1933, as Amended by Act No. 329 of the Acts of the General Assembly for the Year 1935, in Sections 1 and 2 Thereof so as to Provide for an Eight (8) Months State Supported School Term and to Provide a Graduated Scale of Salaries for Teachers in the Public Schools of the State, and to Fix the Allowance of State Aid for Supervision and/or Incidentals at Five (5%) Per Cent.

Section 1. Act 406, 1933 Acts, amended—eight months state supported school term—salaries for teachers—allowance for supervision or incidentals.—Be it enacted by the General Assembly of the State of South Carolina: That Sections 1 and 2 of an Act entitled, "An Act to Provide a Schedule of State Aid for Public Schools; to Levy and Impose Additional Income Taxes and Public Utility and Other Corporation Taxes and Licenses; to Levy and

Impose a License Tax Upon Wholesale and Retail Dealers in Malt and Vinous Beverages; to Provide for the Issuance of Notes for Certain School Obligations; and to Prescribe Penalties for the Violation of the Terms of this Act", and approved May 31, 1933, and designated as Act No. 406 of the Acts of the General Assembly for the year 1933, as amended by an Act entitled "An Act to Amend Act No. 406 of the Acts of the General Assembly, 1933, entitled 'An Act to Provide a Schedule of State Aid for Public Schools,' etc., by providing for a Seven Months State Supported School Term and an Increase in Teachers' Salaries and to Make an Annual appropriation for Public Schools; to Repeal Act No. 920 of the Acts of the General Assembly for the year 1934, entitled 'An Act to Increase by 10% the Salaries of School Teachers', etc.; to Provide for the Allocation of Revenue Derived from Certain Non-Alcoholic and Alcoholic Beverages; to Authorize the State Finance Committee to Borrow Money for School Purposes for the School Year 1935-1936" and Designated as Act No. 329 of the Acts of the General Assembly for the year 1935, be, and the same is, hereby changed, altered and amended to read, respectively, as follows:

"Section 1: The General Assembly shall make sufficient appropriation to pay the salaries of all school teachers in the public schools on the basis and for the length of term of eight (8) months in the elementary and high schools in the State. *Provided, However,* That no school in any school district shall continue open for a longer period of time than that fixed by the Board of Trustees in the District where such school is located or the county Board of Education in any county which may operate under a county unit plan. No school shall receive any benefits under the provisions of this Act which does not have the minimum enrollment and average daily attendance, for the previous scholastic year, fixed in the schedules below. In two-teacher high schools the minimum enrollment shall be 32, with an average daily attendance of 28, in a three teacher high school the minimum enrollment shall be 50, with an average daily attendance of 44; in four teacher high schools the minimum enrollment shall be 83, with an average daily attendance of 66; in five teacher high school the minimum enrollment shall be 110, with an average daily attendance of 88; in six teacher high schools the minimum enrollment shall be 138, with an average daily attendance of 110; in seven teacher high schools the minimum enrollment shall be 168, with an average daily attendance of 134; in eight teacher high schools

the minimum enrollment shall be 200, with an average daily attendance of 160; in nine teacher high schools the minimum enrollment shall be 234, with an average daily attendance of 187; in ten teacher high schools the minimum enrollment shall be 270, with an average daily attendance of 216; in eleven teacher high schools the minimum enrollment shall be 308, with an average daily attendance of 246; in twelve teacher high schools the minimum enrollment shall be 348, with an average daily attendance of 278; in all high schools with more than twelve teachers the minimum enrollment shall be thirty (30) pupils for each teacher and have an average daily attendance of twenty-five (25) pupils for each teacher. In a one teacher elementary school the minimum enrollment shall be 20, with an average daily attendance of 15; in a two teacher elementary school the minimum enrollment shall be 40, with an average daily attendance of 32; in a three teacher elementary school the minimum enrollment shall be 75, with an average daily attendance of 60; in four teacher elementary schools the minimum enrollment shall be 105, with an average daily attendance of 84; in five teacher elementary schools the minimum enrollment shall be 140, with an average daily attendance of 112; in six teacher elementary schools the minimum enrollment shall be 175, with an average daily attendance of 140; in seven teacher elementary schools the minimum enrollment shall be 210, with an average daily attendance of 168; in eight teacher elementary schools the minimum enrollment shall be 248, with an average daily attendance of 200; in nine teacher elementary schools the minimum enrollment shall be 288, with an average daily attendance of 230; in ten teacher elementary schools the minimum enrollment shall be 330; with an average daily attendance of 264; in eleven teacher elementary schools the minimum enrollment shall be 374, with an average daily attendance of 300; in twelve teacher elementary schools the minimum enrollment shall be 420, with an average daily attendance of 366; in all elementary schools with more than twelve teachers the minimum enrollment shall be 36 pupils for each teacher, and have an average daily attendance of 30 pupils per teacher. The enrollment and average daily attendance for State aid for the school year 1937-1938 shall be based on any seven successive months of the previous school year, but thereafter the enrollment and average daily average attendance for State aid shall be based on any eight successive months of the previous school year: *Provided*, That if any one and/or two teacher school fails to main-

tain the minimum schedule herein provided, it shall participate only in proportion to the enrollment and average daily attendance maintained: *Provided, Further*, That no one teacher school shall be deprived of the benefits of the said Act where such school fails to meet the minimum requirements of enrollment and average daily attendance, and it is impracticable to consolidate the said school with some other school because of mountains, rivers, islands, swamps, or other natural causes. The County Board of Education in which said school is located to be the competent judge in such case: *Provided, Further*, That no person who teaches less than four periods daily of forty-five minutes each shall receive any pay under the provisions of this Act, except the Superintendent of a school system employing more than ten (10) teachers.

"Section 2: That the average annual salaries of teachers paid by the State may be, but in no school shall exceed, the respective amounts specified below:

"For Teachers holding First Grade Certificates and who have not had at least one year's teaching experience in public schools, the sum of six hundred (\$600.00) dollars per annum.

"For Teachers holding First Grade Certificates who have had at least one year's teaching experience in Public Schools, the sum of six hundred and forty (\$640.00) Dollars per annum.

"For Teachers holding First Grade Certificates who have had at least two years' teaching experience in public schools, the sum of six hundred and eighty (\$680.00) dollars per annum.

"For Teachers holding first grade certificates who have had at least three years' teaching experience in public schools, the sum of seven hundred and twenty (\$720.00) dollars per annum.

"For Teachers holding second grade certificates and who have not had at least one year's teaching experience in public schools, the sum of three hundred and sixty (\$360.00) dollars per annum.

"For Teachers holding second grade certificates who have had at least one year's teaching experience in public schools, the sum of four hundred (\$400.00) dollars per annum.

"For Teachers holding second grade certificates who have had at least two years' teaching experience in public schools, the sum of four hundred and forty (\$440.00) dollars per annum.

"For Teachers holding second grade certificates who have had at least three years' teaching experience in public schools, the sum of four hundred and eighty (\$480.00) dollars per annum.

"Provided, Further, That in no case shall the monthly salary paid by the State exceed the monthly salary paid by the County or local school district from County or school district tax funds for any month beyond the State-supported term.

"Provided, Further, That it shall be unlawful for a Board of Trustees or any teacher, to enter into a contract or agreement directly, or by subterfuge, or any indirect means, to use any portion of the money appropriated for paying salaries pursuant to the terms of this Act, for the purpose of extending the term herein provided. The State Treasurer and Comptroller General, on request of the State Superintendent of Education, shall withhold all state aid, for the scholastic year in which such violation occurs, from any school district whose trustees wilfully violate the terms of these provisions. *Provided,* A school district may appeal from the decision of the State Superintendent of Education to the State Board of Education.

"Each school is also allowed for the supervision or incidentals five (5%) per cent of the amount payable to it for salaries under the terms of this Act: *Provided, Further,* That in any school the Board of Trustees, or the County Board of Education in all counties which operate under the unit plan, in their discretion may run the schools for a period of time longer than provided for herein, employ additional teachers and pay salaries in excess of the amount fixed in the above schedule, but the money required to prolong the school session and/or to provide for excess salaries or other expenses shall be provided either by the District or the county in which the same is situated or by both."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 1st day of July, 1937

PART II

LOCAL AND TEMPORARY LAWS

(566)

No. 383.

AN ACT to Make Appropriations to Meet the Ordinary Expenses of the State Government for the Fiscal Year Beginning July 1, 1937, to Provide a Tax Sufficient to Defray the Same, for Borrowing Money and Regulating the Fiscal Affairs of the State.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: For the fiscal year, beginning July 1, 1937, the following sums of money, if so much be necessary, be and the same are hereby appropriated out of the State Treasury to meet the ordinary expenses of the State Government as hereinafter appropriated, and there is hereby levied upon all taxable property in the State two and one-half ($2\frac{1}{2}$) mills, if so much be necessary, together with all other income, or available revenue of the State to raise the sums herein appropriated.

§ 2. Legislative Department.

Item 1. The Senate:

A. Personal Service:

A-1. *Salaries:*

President	\$ 1,000.00
Senators	18,400.00
Mileage and Stationery	635.20
Clerk (In full for Session) ...	1,485.00
Assistant Clerk	600.00
General Desk Clerk	300.00
Bill Clerk	300.00
Journal Clerk	500.00
Reading Clerk	500.00
Sergeant-at-Arms	500.00
Stenographer, Finance Committee	425.00
Clerk, Finance Committee	300.00

Steno-Clerk, Judiciary Committee	425.00
Secretary to President	300.00
General Committee Clerk	300.00
General Committee Stenographer	350.00
Doorkeepers (2 @ \$200.00 each)	400.00
Pages (2 @ \$160.00 each)	320.00
Chaplain (in full for session) ..	150.00
Laborers (3 @ \$2.50 a day) ..	300.00
Amendment Clerk	100.00
Approved Accounts	10,000.00

Total (Item 1) The Senate \$ 37,590.20

Item 2. House of Representatives:

A. Personal Service:

A-1. *Salaries:*

The Speaker	\$ 1,000.00
Representatives	49,200.00
Mileage and Stationery	1,765.10
Clerk (In Full for Session) ..	1,485.00
Assistant Clerk	600.00
Journal Clerk	500.00
Bill Clerk	400.00
Reading Clerk	500.00
Bill Clerk and General Committee Clerk	300.00
Steno Clerk, Ways and Means Committee	600.00
Clerk—Ways and Means Committee	400.00
Clerk and/or Stenographer, Judiciary Committee	400.00
General Desk Clerk	300.00
Sergeant-at-Arms	500.00
Secretary to Speaker	300.00
Chaplain (In Full for Session) ..	150.00
Pages (5 @ \$160.00 each) ...	800.00

Doorkeepers (3 @ \$200.00 each)	600.00
Laborers (3 @ \$2.50 a day) ..	300.00
Keeper Ways and Means and Judiciary Committee Rooms.	200.00
Elevator Operator	400.00
Approved Accounts	14,000.00

Total (Item 2) House of Representatives	\$ 74,700.10
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Item 3. Special Services for Both Houses:

A. Personal Service:

A-1. *Salaries:*

Clerk on Enrollment of Acts.	300.00
Postmaster	200.00
Assistant Postmaster	200.00
Laborers (3 @ \$2.50 per day).	300.00
Telephone Pages (2 @ \$160-.00)	320.00
Telephone Operators (2) In Full for Session	200.00
Maid @ \$1.50 per day)	60.00
Approved Accounts	2,000.00

Total (Item 3) Special Services for Both Houses	\$ 3,580.00
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Item 4. Engrossing Department:

A. Personal Service:

A-1. *Salaries:*

Chief Clerk	600.00
Desk Clerk	300.00
Engrossing Clerks (12)	3,600.00
Porter (1 @ \$2.50 per day) ..	100.00

A-3. Special Payments:

Solicitors	4,000.00
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B. Contractual Services:

B-2. Travel, Mileage of Solicitors	100.00
B-4. Repairs	25.00

C. Supplies :

C-4. Office Supplies	500.00
Approved Accounts	4,500.00

Total (Item 4) Engrossing Department	\$ 13,725.00
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Item 5. Clerk's Office (Clerk of the House Between Sessions) :

A. Personal Service:

A-1. Salaries:

Clerk of the House	2,400.00
Secretary	1,600.00

A-2. Wages:

Messenger-Porter	55.00
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B. Contractual Services:

B-3. Telegraph and Telephone..	100.00
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C. Supplies:

C-4. Office Supplies	125.00
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D. Fixed Charges and Contributions:

D-1. Post Office Box Rent	6.00
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Total (Item 5) Clerk's Office.....	\$ 4,286.00
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GRAND TOTAL (Legislative Department)	\$ 133,881.30
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Provided, That the Clerk of the House is authorized to have prepared a House Journal Index at a cost not to exceed Two Hundred (\$200.00) Dollars, and the Clerk of the Senate is authorized to have prepared a Senate Journal Index at a cost not to exceed Two Hundred (\$200.00) Dollars, same to be paid from Approved Accounts: *Provided, Further*, That warrants for pay of porter in engrossing department shall be approved by the State Librarian: *Provided, Further*, That the Comptroller General is authorized to honor warrants for operation of the office of the Clerk of the House between sessions of the General Assembly on the approval of the Clerk of the House. *Provided, Further*, That any Legislative Committee constituted by a Joint Resolution, a Concurrent Resolution, or by a Resolution of either House of the General Assembly for the purpose of investigating any State Department, Institution or activity, shall render to the General Assembly at its succeeding session an

itemized report of all expenditures incurred in connection with such investigation. *Provided, Further,* That the Clerk of each House shall submit to the respective Houses at the beginning of the following Session of the Legislature, an itemized statement of expenditures from the Appropriation for Approved Accounts. *Provided, Further,* That unless specifically authorized in this Bill, no expenditure for personal service shall be made from the appropriations for approved accounts except upon authority of a House, a Senate, or, a Concurrent Resolution. *Provided, Further,* That all supplies and equipment for use of the General Assembly shall be purchased only upon written authority of either the Clerk of the Senate, Clerk of the House, or Chief Clerk of the Engrossing Department, for the respective branches of the General Assembly, and that a copy of such written authority shall be attached to all warrants in payment thereof before such warrants are honored by the Comptroller General. *Provided, Further,* That the Ways and Means Committee may convene at the call of the Chairman prior to the beginning of the 1938 session of the General Assembly for consideration of the General Appropriation Bill.

§ 3. Judicial Department.

Item 1. Supreme Court:

A. Personal Service:

A-1. Salaries:

Chief and Associate Justices..\$	35,250.00
Clerk	1,500.00
Reporter	650.00
Librarian	1,700.00
Stenographers—Chief and Associate Justices	6,750.00
Stenographers (3) Clerk's Office	4,050.00

A-2. Wages:

Attendant	516.00
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B. Contractual Services:

B-3. Telegraph and Telephone...	300.00
B-4. Repairs	50.00

C. Supplies:

C-4. Office Supplies	1,500.00
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D. Fixed Charges and Contributions:

D-1. Rents—Clock and Post Office Box	30.00	
G. Equipment:		
G-1. Office Equipment	150.00	
G-7. Educational Equipment:		
Library	1,000.00	
South Carolina Reports	3,750.00	
Total (Item 1) Supreme Court....	\$	57,196.00
Item 2. Circuit Courts:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Circuit Judges (14)	\$	99,750.00
Solicitors (14)		46,200.00
Circuit Stenographers (14) ..		31,920.00
A-3. Special Payments:		
Special Circuit Judges		500.00
Total (Item 2) Circuit Courts.....	\$	178,370.00
Item 3. Codification of Laws:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Code Commissioner	\$	2,100.00
A-2. Wages		18.00
A-3. Special Payments:		
Clerical Help		400.00
Per diem and travel, members		
Committee Statutory Laws..		304.50
B. Contractual Services:		
B-1. Freight, Express and Deliveries		10.00
B-2. Travel		75.00
C. Supplies:		
C-4. Office Supplies		70.00
Total (Item 3) Codification of Laws	\$	2,977.50

Item 4. Board of Law Examiners:

A. Personal Service:

A-3. Special Payments (3 Members)	\$ 650.00
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GRAND TOTAL (Judicial Department)	\$ 239,193.50
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§ 4. Governor's Office.

Item 1. Executive Control of State:

A. Personal Service:

A-1. Salaries:

Governor	7,500.00
Private Secretary	3,432.00
Recording Clerk	2,000.00
Stenographers (2)	3,240.00

A-2. Wages:

Messenger-Porter	504.00
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B. Contractual Services:

B-2. Travel	500.00
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B-3. Telegraph and Telephone ..	1,200.00
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B-4. Repairs	100.00
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C. Supplies:

C-4. Office Supplies	1,925.00
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D. Fixed Charges and Contributions:

D-1. Rents	34.00
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D-3. Association Dues	100.00
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G. Equipment:

G-1. Office Equipment	425.00
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Total (Item 1) Executive Control of State	20,960.00
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Item 2. Mansion and Grounds:

A. Personal Service:

A-2. Wages	1,500.00
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B. Contractual Services:

B-3. Telegraph and Telephone...	120.00
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B-4. Repairs	500.00
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B-6. Water, Heat, Light and Power	750.00	
C. Supplies:		
Supplies (General)	500.00	
D. Fixed Charges and Contribu- tions:		
D-2. Insurance	124.06	
G. Equipment:		
G-3. Household Equipment	500.00	
Total (Item 2) Mansion and Grounds		3,994.06
Item 3. Board of Pardons:		
A. Personal Service:		
A-3. Special Payments, Per Diem of Members	300.00	
B. Contractual Services:		
B-2. Travel	200.00	
Total (Item 3) Board of Pardons...		500.00
GRAND TOTAL (Governor's Of- fice)		25,454.06

Provided, That there is hereby appropriated the sum of Sixty-Five Thousand (\$65,000.00) Dollars as the Governor's Law Enforcement Fund, which appropriation shall be in lieu of that made in Section 21 of Act No. 232 of the Acts of 1935, which appropriation is hereby suspended for the year 1937-1938. The Appropriation herein made for Law Enforcement shall be administered by the Governor, in accordance with the terms and conditions of said Section 21 of Act No. 232 of the Acts of 1935; *Provided, Further*, That the Comptroller General and State Treasurer are hereby authorized and directed to transfer the sum of Sixty-Five Thousand (\$65,000.00) Dollars from the revenue derived from the tax on alcoholic liquors to the General Fund of the State for the payment of the appropriation herein provided for Law Enforcement; and that such transfer shall be made before the allocation of the said alcoholic liquor revenue, as provided by law.

§ 5. Secretary of State's Office.**Item 1. Keeping State Records:****A. Personal Service:****A-1. Salaries:**

Secretary of State	3,600.00
Chief Clerk	2,500.00
Auditor and Corporation Clerk	2,500.00
File Clerk and Stenographer	1,850.00

A-2. Wages:

Porter Service	340.00
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A-3. Special Payments:

Extra Clerical Help	200.00
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B. Contractual Services:

B-1. Freight, Expenses and Deliveries	50.00
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B-2. Travel	200.00
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Additional Travel Allowance ..	1,400.00
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B-3. Telegraph and Telephone ..	150.00
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B-4. Repairs	50.00
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C. Supplies:

C-4. Office Supplies	1,200.00
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D. Fixed Charges and Contributions:

D-2. Premium on Bonds	55.00
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G. Equipment:

G-1. Office Equipment	150.00
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GRAND TOTAL (Secretary of
State's Office)

14,245.00

§ 6. Comptroller General.**Item 1. Executive Control of Accounts:****A. Personal Service:****A-1. Salaries:**

Comptroller General	3,600.00
Deputy Comptroller	2,500.00
General Bookkeeper	2,250.00
Second Bookkeeper	2,000.00
Assistant Bookkeeper	1,800.00

Audit and Bond Clerk.....	1,800.00	
Disbursing Clerk	1,800.00	
Secretary	1,350.00	
Auditor Tax Accounts	1,940.00	
A-2. Wages	340.00	
B. Contractual Services:		
B-2. Travel	750.00	
Additional Travel Allowance..	1,400.00	
B-3. Telegraph and Telephone..	250.00	
B-4. Repairs	50.00	
C. Supplies:		
C-4. Office Supplies	1,200.00	
D. Fixed Charges and Contributions:		
D-1. Rents	30.00	
D-2. Insurance	187.50	
G. Equipment:		
G-1. Office Equipment	300.00	
Total (Item 1) Executive Control of Accounts		23,547.50
Item 2. Collection of Taxes and Audit of County Offices:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
County Auditors	69,911.00	
County Treasurers	69,911.00	
B. Contractual Services:		
B-5. Printing and Advertising...	7,500.00	
Auditing County Offices.....	4,000.00	
Total (Item 2) Collection of Taxes and Audit of County Of- fices		151,322.00
Item 3. Elections:		
Supervisors of Registration....	18,975.00	
Election Expenses	2,000.00	
Total (Item 3) Elections		20,975.00

Item 4. Confederate Pensions:

A. Personal Service:

A-3. Special Payments per Diem of Board	800.00 .
Clerical Help	1,200.00

B. Contractual Services:

B-2. Travel	600.00
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D. Fixed Charges and Contributions:

D-3. Pensions:

Pensions for Whites	140,000.00
Pensions for Negroes	1,500.00

Total (Item 4) Confederate Pensions	144,100.00
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GRAND TOTAL (Comptroller General's Office)	339,944.50
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Provided; That any widow of a Confederate Veteran, who was married to him during or prior to the Confederate War, and 90 years of age or more, shall receive the same pension as that paid a Confederate Veteran, *Provided, Further,* That when the death of a Confederate Veteran and his widow shall both occur in the same year, the funeral expenses as provided by law shall apply in both cases. *Provided, Further,* That the pension of Confederate Veterans, and widows of Confederate Veterans who have attained the age of 90 years, shall be the amount heretofore provided by statute, and of all others entitled to pensions under Statute, the statutory amount less 15%. *Provided, Further,* That beginning July 1, 1937, all Confederate Pensions shall be paid directly by the Comptroller General in monthly installments of one-twelfth (1/12) of the annual amount in each case, and any recipient of such a pension shall have the amount thereof reduced by whatever amount such recipient may receive from the State as Old Age, or other, assistance. In considering the income of any person to determine whether such person is eligible for Old Age, or other, assistance, the South Carolina Board of Public Welfare shall not consider any amount which might be received as a Confederate pension as income to prevent such person receiving such assistance.

Provided, Further, That the State shall pay on the respective salaries of County Auditors and County Treasurers the same amounts

in each County as were paid for the fiscal year 1936-37 plus 5%. *Provided, Further*, That Section 2700, Code of Laws of 1932, is hereby repealed with all Acts amendatory thereto relating to the salaries of County Treasurers and Auditors.

Provided, Further, That the Comptroller General, or accountants employed by him, may supervise, direct and assist in making detailed audits of any county in the State, when requested to do so by County officials, and the cost of which is to be paid from County funds. *Provided, However*, That when such audits are made by or under the direction of the Comptroller General, or any employee of his office, for which audit any sum of money is paid, such sum shall be paid to the Comptroller General and by him disbursed and an accurate record of such disbursements shall be kept by him; but that when such audits are made wholly or partly by regular full time employees of any department of the State Government the compensation for the services of such employee shall be turned into the General Fund of the State.

§ 7. Attorney General's Office.

Item 1. For Administration:

A. Personal Service:

A.-1. Salaries:

Attorney General	\$ 5,000.00
Assistant Attorney General...	3,250.00
Assistant Attorney General....	2,850.00
Secretary and Law Clerk.....	2,000.00
Stenographer	1,620.00

A.-2. Wages:

Porter	114.00
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B. Contractual Services:

B.-2. Travel	300.00
B.-3. Telegraph and Telephone..	450.00
B.-4. Repairs	25.00

C. Supplies:

C.-4. Office Supplies	650.00
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D. Fixed Charges and Contributions:

D.-1. Post Office Box Rent.....	12.00
D.-2. Insurance (Official Bonds).	37.50

D.-3. Contributions (Association Dues)	10.00	
G. Equipment:		
G.-1. Office Equipment	150.00	
Total (Item 1) For Administration		\$ 16,468.50
Item 2. For State Litigation:		
A. Personal Service:		
A.-3. Special Payments	\$ 1,500.00	
B. Contractual Services:		
B.-2. Travel	1,500.00	
C. Supplies:		
C.-4. Office Supplies	1,500.00	
Total (Item 2) For State Litigation		\$ 4,500.00
GRAND TOTAL (Attorney General's Office		\$ 20,968.50

Provided, That the Attorney General is hereby authorized to contract for the collection of debts, claims or obligations due the State, or any of its departments or institutions on a contingent basis.

§ 8. Treasurer's Office.

Item 1. Receiving and Disbursing Funds:

A. Personal Service:

A.-1 *Salaries:*

Treasurer	\$ 3,600.00
Chief Clerk	2,500.00
Bond Clerk	1,950.00
Corporation Clerk	1,950.00
Bookkeeper	2,100.00
General Clerk	1,850.00
Disbursing Clerk	1,850.00
Coupon Clerk	1,320.00

A.-2. Wages:		
Porter Services	264.00	
B. Contractual Services:		
B.-1. Freight, Express and Deliveries	30.00	
B.-2. Travel	600.00	
Additional Travel Allowance ..	1,400.00	
B.-3. Telegraph and Telephone ..	500.00	
B.-4. Repairs	350.00	
B.-5. Printing and Advertising ..	22.50	
C. Supplies:		
C.-4. Office Supplies	1,750.00	
D. Fixed Charges and Contributions:		
D.-1. Rents	72.00	
D.-2. Insurance—P r e m i u m on Bonds	680.00	
Insurance on Collateral for State Deposits	2,982.50	
G. Equipment:		
G.-1. Office Equipment	\$ 200.00	
Total (Item 1) Receiving and Disbursing Funds		\$ 25,971.00
Item 2. Payment of Bonded Debt:		
B. Contractual Services:		
B.-5. Printing and Advertising ..	30.00	
C. Supplies:		
C.-4. Office Supplies	320.00	
D. Fixed Charges and Contributions:		
D-4. Payment of Debt:		
Refunding Sinking Fund (Act 1912)	25,000.00	
Interest on 3¼% Refunding Bonds:		
December, 1937	68,250.00	
June, 1938	68,250.00	
Interest on Agricultural College Stock:		
July, 1937	5,754.00	
January, 1938	5,754.00	

Interest on Clemson Perpetual	
Stock:	
July, 1937	1,756.18
January, 1938	1,756.18
State Hospital:	
July 1, 1937—Principal	9,000.00
July 1, 1937—Interest	9,820.00
January 1, 1938—Interest	9,640.00
State Training School:	
July 1, 1937—Principal	3,000.00
July 1, 1937 Interest	2,440.00
January 1, 1938—Interest	2,380.00
South Carolina Sanatorium:	
July 1, 1937—Principal	2,000.00
July 1, 1937—Interest	960.00
January 1, 1938—Interest	920.00
School for Deaf and Blind:	
July 1, 1937—Principal	1,000.00
July 1, 1937—Interest	480.00
January 1, 1938—Interest	460.00

Total (Item 2) Payment of Bonded Debt	\$ 218,970.36
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GRAND TOTAL (State Treasurer's Office)	244,941.36
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§ 9. Adjutant General's Office.

Item 1. For Maintenance:

A. Personal Service:

A.-1. Salaries:

Adjutant General	\$ 3,600.00
Assistant Adjutant General ...	2,220.00
Property and Disbursing Officer	1,800.00
Assistant Property and Disbursing Officer	1,800.00
Steno-Clerk (Adjutant General)	1,620.00
Steno-Clerk (Property and Disbursing Officer	1,350.00
Armorer	1,350.00

A.-2. Wages	278.00	
A.-3. Special Payments	1,485.00	
B. Contractual Services:		
B.-1. Freight, Express and Deliveries	75.00	
B.-2. Travel	1,200.00	
Additional Travel Allowance..	1,400.00	
B.-3. Telegraph and Telephone...	600.00	
B.-4. Repairs	1,500.00	
B.-5. Printing and Advertising ..	100.00	
B.-6. Water, Heat, Light and Power	850.00	
C. Supplies:		
C.-2. Fuel Supplies	50.00	
C.-4. Office Supplies	1,000.00	
C.-8. Motor Vehicle Supplies ...	145.00	
D. Fixed Charges and Contributions:		
D.-2. Insurance	\$ 2,860.78	
D.-4. Other Fixed Charges:		
Company Maintenance Fund ..	25,000.00	
G. Equipment:		
G.-1. Office Equipment	300.00	
GRAND TOTAL (Adjutant General's Office)		\$ 50,583.78

§ 10. University of South Carolina.

For Maintenance \$ 265,000.00

Provided, that the salary of the President shall be Six Thousand (\$6,000.00) Dollars per year. *Provided, Further*, That out of the above Appropriation an amount of not less than Twenty Thousand (\$20,000.00) Dollars shall be used for repairs. *Provided, Further*, that from the amount herein appropriated a sum of not less than Seven Thousand Five Hundred (\$7,500.00) Dollars shall be used for Extension Service, a sum of not less than Three Thousand (\$3,000.00) Dollars for a School of Social Work, and a sum of not less than Three Thousand, Five Hundred (\$3,500.00) Dollars for a Chair of Political Science. *Provided, Further*, That the Board of Trustees of the University of South Carolina shall have the power and authority to fix the compensation of employees of the institution in accordance with the terms of this Act.

§ 11. The Citadel.

For Maintenance \$ 150,000.00

Provided, That the salary of the President shall be Six Thousand (\$6,000.00) Dollars per year. *Provided, Further*, that out of the above Appropriation, an amount of not less than Ten Thousand (\$10,000.00) Dollars, shall be used for Repairs. *Provided, Further*, That out of the above Appropriation, as much as may be necessary, may be used for additions to the Infirmary.

§ 12. Clemson College (Collegiate Activities).

For Maintenance \$ 115,000.00

Provided, That no female students be admitted to Clemson College. *Provided, Further*, That the salary of the President shall be Six Thousand (\$6,000.00) Dollars per year, *Provided, Further*, That out of the above Appropriation, an amount of not less than Twenty Thousand (\$20,000.00) Dollars, shall be used for Repairs. *Provided, Further*, That the average salary increase at this Institution for the year 1937-1938 shall not be more than eight (8) per cent of the amount paid for the year 1935-1936. *Provided, Further*, that out of the above Appropriation, the sum of Twenty-five Thousand (\$25,000.00) Dollars may be used to move and equip the Post Office and to re-work the Chemical Building and Library.

§ 13. Winthrop College (Collegiate Activities).

For Maintenance \$ 250,000.00

Provided, That no male students be admitted to Winthrop College. *Provided, Further*, that out of the above Appropriation, an amount of not less than Twenty-Thousand (\$20,000.00) Dollars, shall be used for Repairs. *Provided, Further*, That the salary of the President shall be Six Thousand (\$6,000.00) Dollars per year.

§ 14. Medical College.

For Maintenance \$ 140,000.00

Provided, That out of the above appropriation, the authorities of the Medical College are authorized and empowered to provide for the operation of the South Carolina Food Research Laboraroty. *Provided, Further*, That the salary of the Dean of the Medical College shall be Thirty-six Hundred (\$3600.00) Dollars per year. *Provided, Further*, that in addition to the above Appropriation, Ten Thousand (\$10,000.00) Dollars of the amount recovered on the Bond of the former Treasurer shall be used for operation of the Institution for the year 1937-1938.

§ 15. State Colored College.

For Maintenance	\$ 82,500.00
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Provided, That the Salary of the President shall be Three Thousand, Two Hundred and Forty (\$3,240.00) Dollars per year: *Provided, Further*, That out of the above Appropriation, the authorities of the State Colored College are authorized to pay any amount due on Notes given for the purchase of land.

§ 16. John De La Howe School.

For Maintenance	\$ 65,000.00
Repairs to Main Building	5,000.00
Fire Protection and Sewerage	
Disposal	10,000.00

Total, (John de La Howe School) ..	\$ 80,000.00
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Provided, That the salary of the Superintendent shall be \$3,340.00 per year. *Provided, Further*, that the authorities of this Institution are hereby authorized to borrow not in excess of Ten Thousand (\$10,000.00) Dollars to supplement the amount appropriated herein for Fire Protection and Sewerage Disposal, such loan to be payable one year from date.

§ 17. School for the Deaf and Blind.

For Maintenance	\$ 89,860.23
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Provided, That the authorities of the above institution are authorized to grant such scholarships as in their judgment may seem proper. *Provided, Further*, That the salary of the Superintendent shall be Three Thousand Three Hundred and Sixty (\$3,360.00) Dollars per year.

§ 18. Superintendent of Education's Office.**Item 1. Board of Education:****A. Personal Service:****A-3. Special Payments:**

Per Diem of Members	\$ 720.00
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B. Contractual Services:

B-2 Travel	500.00
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Total (Item 1) Board of Education	\$ 1,220.00
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Item. 2. Superintendence and Records:

A. Personal Service:

A-1. *Salaries:*

Superintendent of Education ..\$	5,000.00
Secretary and Warrant Clerk ..	1,716.00
Steno-Clerk (Statistician)	2,000.00
Director of Extension	2,400.00
Clerk (Reports and Accounts)	1,750.00

B. Contractual Services:

B-1. Freight, Express and Deliveries	100.00
B-2. Travel—Superintendent of Education	500.00
Director of Extension	600.00
B-3. Telegraph and Telephone..	500.00
B-4. Repairs	100.00

C. Supplies:

C-4. Office Supplies	2,500.00
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D. Fixed Charges and Contributions:

D-2. Insurance (Premium on Bond)	12.50
D-3. Contributions — Association Dues	25.00

G. Equipment:

G-1. Office Equipment	\$ 250.00
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Total (Item 2) Superintendence and Records	\$ 17,453.50
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Item 3. Board of Examiners:

A. Personal Service:

A-1. *Salaries:*

Director	2,750.00
Stenographer and Certificate Clerk	1,400.00
File and Renewal Clerk	1,056.00

Total (Item 3) Board of Examiners	\$ 5,206.00
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Item 4. Division of Elementary Education:

A. Personal Service:

A-1. *Salaries:*

Director 2,400.00

Stenographer 1,100.00

B. Contractual Services:

B-2. Travel 600.00

Total (Item 4) Division of Elementary Education

4,100.00

Item 5. Supervision of High Schools:

A. Personal Service:

A-1. *Salaries:*

High School Supervisor 3,000.00

Steno-Secretary 1,500.00

B. Contractual Services:

B-2. Travel 600.00

Total (Item 5) Supervision of High Schools

5,100.00

Item 6. Adult Schools and Supervision

\$ 25,000.00

Item 7. Supervision of Rural Schools:

A. Personal Service:

A-1. *Salaries:*

Supervisors (2)\$ 5,200.00

Stenographer 1,500.00

B. Contractual Services:

B-2. Travel 1,200.00

Total (Item 7) Supervision of Rural Schools

\$ 7,900.00

Item 8. Vocational Education:

D-4. Aid for Education

Agricultural Teachers 145,330.22

Home Economics 53,772.40

Trade and Industries 40,890.78

Teacher Training:

Training Teachers in Service..	6,218.59
(a) Supervisor of Agriculture ($\frac{1}{2}$)	1,550.00
(b) Assistant Supervisor of Agriculture ($\frac{1}{2}$)	1,350.00
(c) Supervisor of Home Economics ($\frac{1}{2}$)	1,350.00
(d) Supervisor of Trades and Industries ($\frac{1}{2}$)	1,500.00
(e) Stenographer ($\frac{1}{2}$)	750.00
(f) Travel	1,500.00
Vocational Rehabilitation	20,000.00

Total (Item 8) Vocational Education

\$ 274,211.99

Item 9. Division of School House Planning:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 2,700.00
Draftsman	1,700.00
Stenographer	1,350.00

B. Contractual Services:

B-2. Travel 900.00

C. Supplies:

C-4. Office Supplies 500.00

Total (Item 9)

\$ 7,150.00

Item 10. State Aid for Public Schools:

D. Fixed Charges and Contributions:

D-4. Other Fixed Charges:

Salaries of Teachers—Including Supervision	\$4,100,230.00
Transportation	234,000.00

Total (State Aid)

\$4,334,230.00

Item 11. Printing for Public Schools:

B. Contractual Services:

B-5. Printing and Advertising:

Printing for Public Schools...	\$ 7,500.00
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Item 12. Aid for World War Orphan Children, Section 5711, Code 1932	\$ 2,000.00
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Item 13. County Attendance Teachers:

1 Per County @ \$1,500.00 each	\$ 69,000.00
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GRAND TOTAL (Superintendent of Education's Office)	\$4,760,071.49
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Provided, That for the school year 1937-1938 and for each year thereafter each County Superintendent of Education shall, at the end of each school month, report to the State Superintendent of Education the enrollment and average attendance attained in each school of the respective Counties for the month just preceding; and the State Superintendent of Education and Comptroller General are hereby authorized and directed to withhold State Aid Funds from any school until such report has been received by the State Superintendent of Education. That on or before June 1st of each year the State Superintendent of Education, from the monthly reports, shall determine the number of teachers for which State Aid shall be supplied in the respective counties for the succeeding school year. *Provided, Further*, That the appropriation in Item 10 of this Section for the transportation of pupils, shall be expended as provided by statute.

Provided, Further, That the Appropriation for salaries of Teachers in Item 10 of this Section is on the basis and for the length of term of eight (8) months in the Elementary and High Schools of the State, or for such shorter period of time as may be fixed by the Board of Trustees in the Districts where the respective Schools are located, or by the County Board of Education in any County which may operate under a County Unit Plan. *Provided, Further*, That for the fiscal year 1937-1938 the average annual salaries of Teachers paid by the State may be, but in no school shall exceed, the respective amounts specified below:

For Teachers holding First Grade Certificates and who have not had at least one year's teaching experience in public schools, the sum of Six Hundred (\$600.00) Dollars per annum.

For Teachers holding First Grade Certificates who have had at least one year's teaching experience in Public Schools, the sum of Six Hundred and Forty (\$640.00) Dollars per annum.

For Teachers holding First Grade Certificates who have had at least two years teaching experience in public schools, the sum of Six Hundred and Eighty (\$680.00) dollars per annum.

For Teachers holding First Grade Certificates who have had at least three years teaching experience in public schools, the sum of Seven Hundred and Twenty (\$720.00) Dollars per annum.

For Teachers holding Second Grade Certificates and who have not had at least one years teaching experience in public schools, the sum of Three Hundred and Sixty (\$360.00) Dollars per annum.

For Teachers holding Second Grade Certificates who have had at least one years teaching experience in public schools, the sum of Four Hundred (\$400.00) Dollars per annum.

For Teachers holding Second Grade Certificates who have had at least two years teaching experience in public schools, the sum of Four Hundred and Forty (\$440.00) Dollars per annum.

For Teachers holding Second Grade Certificates who have had at least three years teaching experience in public schools, the sum of Four Hundred and Eighty(\$480.00) Dollars per annum.

Provided, Further, That for the fiscal year 1937-1938, the allowance for supervision or incidentals provided in Section 2 of Act No. 329 of the Acts of 1935 is hereby fixed at five (5%) per cent of the amount payable for salaries, in lieu of seven (7%) per cent as provided therein. *Provided, Further,* That except as otherwise herein provided, the terms and provisions of Act No. 329 of the Acts of 1935 shall apply and govern. *Provided, Further,* That any surplus funds in the Special School Account on June 30, 1937, shall be used for the payment of teachers salaries during the year 1937-1938.

Provided, Further, That for the year 1937-1938 all revenues derived from the sale of and/or license of sale of intoxicating or alcoholic liquor and from the sale of and/or license of sale of Beers, Ales, Porters, Wines, etc., and/or similar malts or fermented beverages, shall be divided and paid out as follows: Sixty-five (65%) per cent thereof into the State Treasury for school purposes, twenty (20%)

per cent thereof to the County from which the revenue is derived, and fifteen (15%) per cent thereof to the Town or City from which the revenue is derived: *Provided*, that when said revenue is not derived from a Town or City, such revenue shall be divided as follows: Sixty-five (65%) per cent thereof into the State Treasury for school purposes and thirty-five (35%) per cent thereof to the County from which it is derived.

Provided, Further, that the division of School House Planning may, but shall not be required, to furnish plans, specifications, or supervision of construction for buildings costing more than \$15,000.00. *Provided, Further*, That School Teachers at the Industrial School for Girls shall be paid from the Appropriation contained in Item 10 of this Section at the rates and for the length of term provided herein, but the enrollment and average attendance requirements for such Teachers shall be on the basis of the enrollment and average attendance for the Fiscal Year 1937-1938. *Provided, Further*, That School Teachers of Fairview School District, Lee County, shall be paid from the Appropriation contained in Item 10 of this Section at the rates and for the length of term provided herein, but the enrollment and average attendance requirements for such Teachers shall be on the basis of the enrollment and average attendance for the Fiscal Year 1937-1938.

Provided, Further, That the Appropriation in Item 13 for County Attendance Teachers shall be in lieu of any other Appropriations for this purpose made or that may hereafter be made for the year 1937-1938.

§ 19. South Carolina Textbook Commission.

Item. For Administration:

A. Personal Service:

A-1 Salaries:

Director	3,000.00
Bookkeeper	1,650.00
Assistant Bookkeeper	1,350.00
Stenographer	1,020.00
Field Workers (3 @ \$1,800.00)	5,400.00

A-3 Special Payments:

Per Diem of Board	400.00
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B. Contractual Service:

B-2 Travel-Director and Field Workers	3,000.00
Commission	540.00
B-3 Telegraph and Telephone...	150.00
B-4 Repairs	25.00

C. Supplies:

C-4 Office Supplies	1,500.00
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D. Fixed Charges and Contributions:

D-2 Insurance	20.00
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G. Equipment:

G-1 Office Equipment	500.00
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Grand Total (South Carolina Text-
book Commission)

18,555.00

Provided, That no part of the funds obtained from the rental of textbooks shall be used for the administration of this department.

§ 20. Historical Commission.

Item 1. Historical Records:

A. Personal Service:

A-1 *Salaries*:

Secretary	3,000.00
Stenographer	1,440.00
Clerk	900.00

A-2 *Wages*:

Porter Services:	300.00
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B. Contractual Services:

B-1 Freight, Express and De- liveries	25.00
B-2 Travel	65.00
B-3 Telegraph and Telephone ..	80.00
B-4 Repairs	50.00
B-5 Printing	800.00
B-6 Water, Heat, Light and Power	400.00

C. Supplies:

C-4 Office Supplies	100.00
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D. Fixed Charges and Contributions:

D-2 Insurance 115.10

Total (Item 1) Historical Records. 7,275.10

Provided, That any proceeds from sales of publications may be used for similar printing. *Provided, Further*, That the annual meeting of the Historical Commission shall be held at the convenience of the members between the days June 20th and June 30th of each year.

§ 21. State Library.

Item 1. For Administration:

A. Personal Service:

A-1 Salaries:

Librarian 2,400.00

A-2 Wages:

Porter Service 568.00

A-3 Special Payments:

Clerical Help 50.00

B. Contractual Services:

B-1 Freight, Express and Deliveries 150.00

B-2 Travel 100.00

B-3 Telegraph and Telephone.. 85.00

B-4 Repairs 100.00

B-5 Printing, Advertising and Binding 90.00

C. Supplies:

C-4 Office Supplies 350.00

D. Fixed Charges and Contributions:

D-2 Insurance 7.50

D-3 Contributions (Association Dues) 15.00

G. Equipment:

G-1 Office Equipment 40.00

G-7 Educational Equipment 400.00

G-8 Other Equipment 100.00

Grand Total (State Library)..... 4,455.50

§ 22. Confederate Relic Room.

Item 1. For Administration:

A. Personal Service:

A-1 *Salaries:*

Custodian 1,320.00

A-2 *Wages:*

Porter Service 60.00

B. Contractual Services:

B-7 Other Contractual Services.. 50.00

C. Supplies:

C-4 Office Supplies 10.00

Grand Total (Confederate Relic
Room)

\$ 1,440.00

§ 23. South Carolina State Hospital.

For Maintenance\$ 996,047.54

For purchase and installation
of Boilers 7,000.00

Total \$ 1,003,047.54

Provided, That the State Hospital authorities are hereby authorized to expend the patients' luxury fund for the benefit of the patients; *Provided, Further*, That the Revolving Fund of the State Hospital is hereby continued at not exceeding thirty-five thousand (\$35,000.00) dollars. *Provided, Further*, That the salary of the Superintendent is hereby fixed at Seven thousand five hundred (\$7,500.00) dollars. *Provided, Further*, That the Board of Regents of the State Hospital is authorized to borrow not in excess of fourteen thousand (\$14,000.00) dollars to supplement the amount herein provided for the purchase and installation of boilers, one-half of said loan to be payable one year from date of loan and the remainder two years from date of loan.

§ 24. State Training School.

For Maintenance \$ 175,000.00

Provided, That the salary of the Superintendent is hereby fixed at five thousand (\$5,000.00) dollars a year.

§ 25. South Carolina Sanatorium.

For Maintenance \$ 190,000.00

Provided, That the above appropriation shall be disbursed upon warrants approved by the Superintendent. *Provided, Further*, That

the general management and supervision of the South Carolina Sanatorium shall be vested in the Executive Committee of the State Board of Health. *Provided, Further,* That the salary of the Superintendent is hereby fixed at four thousand seven hundred fifty (\$4,750.00) dollars a year. *Provided, Further,* That out of the above appropriation, the sum of nine hundred (\$900.00) dollars, shall be used for the employment of a Barber.

§ 26. Confederate Infirmary.

For maintenance	\$ 23,925.20
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Provided, That the salary of the Superintendent is hereby fixed at two thousand one hundred (\$2,100.00) dollars a year.

§ 27. Children's Bureau.

Item 1. For Administration:

A. Personal Service:

A-1 *Salaries:*

Supervisor	2,000.00
Field Worker	1,700.00
Field Worker	1,620.00
Field Workers (2)	2,562.00
Stenographer	1,350.00
File Clerk	990.00
Professional Fees	800.00

B. Contractual Services:

B-2 Travel:

For Employees	3,200.00
For Children (Care and Sub- sistence)	3,500.00

B-3 Telegraph and Telephone ...	150.00
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B-4 Repairs	50.00
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B-5 Printing and Advertising ...	100.00
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C. Supplies:

C-4 Office Supplies	150.00
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C-6 Medical Supplies	100.00
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C-7 Educational Supplies	50.00
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C-10 Clothing and Dry Goods ...	400.00
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D. Fixed Charges and Contributions:

D-3 Contributions	33.00
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G. Equipment:

G-1 Office Equipment	200.00
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Grand Total (Children's Bureau)	\$ 18,955.00
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Provided, That in the event that aid or funds are obtained from the federal government through the National Security Act, or any of its subdivisions or agencies, for aid to dependent children under the age of 16 years, who have been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of a parent, or who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his own or their own home, the children's Bureau of South Carolina shall be and is hereby designated and named as the agency of the State to receive, administer and cooperate with the federal government in carrying out the provisions of any aid, gift or funds, provided and made available by the federal government for financial aid for this work, and to receive any federal funds which may be obtained therefor. That unless prohibited by federal regulation such funds shall be deposited in the State treasury and disbursed upon warrants of the Comptroller General with the approval of the supervisor of the Children's Bureau. *Provided, Further*, That this paragraph shall be inapplicable if the General Assembly by particular act now or subsequently enacted shall make other definite provision for the administration of aid to dependent children.

§ 28. State Penitentiary.

For Maintenance	\$ 93,000.00
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Provided, That the salary of the Superintendent shall be four thousand two hundred fifty (\$4,250.00) dollars a year. *Provided, Further*, That so much as necessary of the above Appropriation may be used for the purposes and in compliance with the terms of Act No. 812 of the Acts of 1936; *Provided, Further*, That all purchases of materials and supplies in excess of three hundred (\$300.00) dollars, shall be given under sealed bids; *Provided, Further*, That the Board of Directors shall have authority to purchase, if they deem necessary, a tract of land of about one hundred and seventy-five (175) acres adjoining the State Farm in Kershaw County, the price of which shall not exceed four thousand, five hundred (\$4,500.00) dollars.

§ 29. Industrial School for Boys.

For Maintenance	\$ 72,000.00
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Provided, That the salary of the Superintendent shall be two thousand eight hundred and thirty-six (\$2,836.00) dollars a year. *Provided, Further*, That so much of the above appropriation as may be necessary may be used for the construction of a chapel.

§ 30. Industrial Schools for Girls.

For Maintenance	\$ 38,894.75
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Provided, That the salary of the Superintendent shall be twenty-seven hundred (\$2,700.00) dollars a year. *Provided, Further*, That the person acting as Superintendent of this institution at the present time is hereby declared to be the legal Superintendent of the institution for the fiscal year 1937-38, or until a Board of Public Welfare shall have been appointed and qualified as provided by law, with full authority to transact the business of the institution.

§ 31. Reformatory for Negro Boys.

For Maintenance	\$ 27,163.00
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Provided, That the Reformatory for Negro Boys shall have the right to cut and use fuel wood, without pay, from the lands of the South Carolina Penitentiary which adjoin the lands of the Reformatory for Negro Boys, such fuel wood to be cut under the direction of the Superintendent of the Penitentiary.

Provided, Further, That the salary of the Superintendent shall be twenty-eight hundred and thirty-six (\$2,836.00) dollars a year.

§ 32. Board of Health.

Item 1. Supervision and Control of
Health:

A. Personal Service:

A-3 Special Payments:

Executive Committee	500.00
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B. Contractual Services:

B-2 Travel	750.00
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D. Fixed Charges and Contributions:

D-4 Other Fixed charges	20.00
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Total (Item 1) Supervision and Control of Health	\$ 1,270.00
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Item 2. Superintendence and Ac-
counts:

A. Personal Service:

A-1 *Salaries:*

Health Officer	3,600.00
Secretary	1,700.00
Steno-Clerk	1,700.00
Sanitary Inspectors (2)	4,800.00

A-2 Wages	1,386.00
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B. Contractual Services:

B-2 Travel	2,000.00
B-3 Telegraph and Telephone ..	500.00
B-4 Repairs (Boat, \$375.00; Gen- eral \$125.00)	500.00
B-5 Printing and Advertising ...	400.00

C. Supplies:

C-1 Food and other supplies (Boat)	150.00
C-4 Office Supplies	3,500.00
C-8 Motor Vehicle Supplies and other Supplies (Boat) ...	275.00
C-11 Other Supplies	150.00

D. Fixed Charges and Contributions:

D-2 Insurance	16.00
D-3 Association Dues	50.00

G. Equipment:

G-1 Office Equipment	300.00
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Total (Item 2) Superintendence and
Accounts

\$ 21,027.00

Item 3. Rural Sanitation and County
Health Work:

A. Personal Service:

A-1 *Salaries:*

Director	3,600.00
Sanitary Officer	2,000.00
Sanitary Inspector	2,100.00
Stenographer	1,550.00

B. Contractual Services:

B-2 Travel	600.00
B-3 Telegraph and Telephone..	300.00

D. Fixed Charges and Contributions:

D-3 State Aid to Rural Sanitation and County and District Health Work	69,000.00
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Total (Item 3) \$ 79,150.00

Item 4. Bureau of Vital Statistics:

A. Personal Service:

A-1 *Salaries*:

Director	2,880.00
Chief Clerk	1,650.00
Index Clerk	1,250.00
File Clerk	1,250.00
Morbidity and Statistical Clerk	1,350.00
Stenographer-Clerks (2)	2,200.00

Total (Item 4) Bureau of Vital Statistics \$ 10,580.00

Item 5. Hygienic Laboratory:

Director	2,880.00
Bacteriologist and Assistant Director	2,000.00
Technician	1,800.00
Technician	1,800.00
Stenographer	1,350.00

B. Contractual Services:

B-1 Freight, express and deliveries	15.00
B-6 Water, Heat, Light and Power	150.00

C. Supplies:

C-3 Feed and Veterinary Supplies	75.00
C-5 Laundry Supplies	10.00
C-6 Medical Supplies	1,800.00

G. Equipment:

G-6 Live Stock	200.00
G-8 Other Equipment	200.00

Total (Item 5) Hygienic Laboratory \$ 12,280.00

Item 6. Distribution of Biologics:

D. Fixed Charges and Contributions:

D-3 Contributions: Biologics 34,000.00

Grand Total (Board of Health) \$ 158,307.00

Provided, That in the event the appropriation under Item 6 for the distribution of biologists is insufficient to supply the necessary antitoxin the State Board of Health shall give public notice thirty days before the supply of antitoxin is exhausted: *Provided, Further*, That none of the funds herein appropriated shall be used in investigation in connection with private litigation: *Provided, Further*, That the State Board of Health is hereby authorized to purchase tetanus antitoxin, typhoid vaccine, diphtheria toxin-antitoxin, sera for treatment of pneumonia and arsenical preparations for treatment of all diseases for which these preparations are used by physicians, and furnish same to physicians and hospitals of the State for use in their practice, at cost, to be furnished to patients at cost. *Provided, Further*, That all purchases referred to in this paragraph shall be pursuant to contracts let to the lowest responsible bidder after due advertisement in at least one daily newspaper, published in the City of Columbia once each week over a period of at least three weeks.

Provided, Further, That salaries enumerated in this Section shall be in full for all services and any funds received from outside sources and intended to supplement said salaries shall be deposited in the State Treasury and applied to the payment of such salaries.

Provided, Further, That the office of Hotel and Restaurant Inspector is hereby abolished. It is provided further that the duties of the Inspector are hereby devolved upon the personnel of the State Health Department, the County Health Departments where such exist, and the City Health Departments of the various cities of the State, according as the State Board of Health may deem most wise and expedient to order and determine. *Provided, Further*, That no fees for any such inspection of Hotels and Restaurants shall be charged for the fiscal year covered by this Act.

Provided, Further, That the State Board of Health is hereby authorized to apply to the Federal Government for financial or other aid and to receive any Federal Funds which may be obtained. That unless prohibited by Federal regulations such funds shall be deposited in the State Treasury and disbursed upon warrants of the Comptroller General with the approval of the State Health Officer, but such Federal Funds shall be expended as budgeted by the Federal Government.

Provided, Further, That the funds appropriated in Item 3 of this Section for Aid to County and District Health Work shall be used by the State Board of Health in carrying on suitable health work in each and every county in the State, through County or District Health Departments. The County Health Department shall be in charge of a director, and such other personnel as may be made available, who shall devote all their time and attention to a single county. A Bi-County Health Department shall be two counties grouped together in charge of a director. Each county shall have a public health nurse and the district shall have such other personnel as may be made available. A Tri-County Health Department shall be three counties grouped together and shall be in charge of a director and such other personnel as may be made available. *Provided, However,* That nothing herein shall be construed as preventing the State Board of Health in accepting the definite provisions and regulations of the U. S. Public Health Service.

Provided, Further, That the director of a county or district health department must be a graduate physician, registered in South Carolina, who must be specially trained and qualified in preventive medicine and public health work, and who must meet other requirements of the U. S. Public Health Service and the State Board of Health. The nurse must be a graduate nurse, registered in South Carolina, well trained and qualified in public health work, and who must meet other requirements of the U. S. Public Health Service and the State Board of Health. All other personnel employed must be properly qualified and trained for the special work and activities undertaken and must meet the requirements and qualifications of the U. S. Public Health Service and the State Board of Health.

Provided, Further, That the sum of \$69,000.00 appropriated in Item 3 of this section is hereby provided for Aid to County and District health work and shall be used equally among the counties of

South Carolina to aid in developing and carrying on Rural Sanitation and County and District Health Work.

§ 33. Tax Commission.

Item.1- Administrative Division:

A. Personal Service:

A-1. Salaries:

Chairman	\$ 5,400.00
Commissioners (2)	7,000.00
General Counsel	3,600.00
Bookkeeper-Warrant Clerk....	1,800.00
Inheritance Tax Examiner ...	2,750.00
Steno-Clerk	1,620.00
Machine Operator	1,200.00
Mailing Clerk	960.00
Clerical Help	1,200.00

B. Contractual Services:

B-2. Travel	1,800.00
B-3. Telegraph and Telephone .	1,250.00
B-4. Repairs	300.00

D. Fixed Charges and Contributions:

D-1. Rents	16.00
D-2. Insurance (Premium on Bonds)	2,500.00
D-3. Contributions	75.00

G. Equipment:

G-1. Office Equipment	600.00
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Total (Item 1) Administrative Division

\$ 32,071.00

Item .2. Property Tax Division:

A. Personal Service:

A-1. Salaries:

Directors	\$ 2,750.00
Auditor and Assessment Clerks (2)	3,350.00
Stenographers (3)	4,050.00
Field Agents	7,600.00
Field Agents (Part Time)....	3,104.00

B. Contractual Services:

B-2. Travel	7,000.00
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C. Supplies:

C-4. Office Supplies and Stamps.	3,500.00
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Total (Item 2) Property Tax Division	
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\$	31,354.00
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Item 3. Income Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	3,250.00
Auditors (4)	8,200.00
Stenographers (3)	4,050.00
Clerks (5)	7,380.00
Field Agents	23,200.00

B. Contractual Services:

B-2. Travel	10,000.00
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C. Supplies:

C-4. Office Supplies and Stamps.	7,000.00
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Total (Item 3) Income Tax Division	
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\$	63,080.00
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Item 4. License Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 3,250.00
Chief Auditor	2,400.00
Auditors and Bookkeepers....	9,760.00
Corporation License Clerk....	2,100.00
Gasoline License Clerk.....	1,700.00
Clerks	7,140.00
Stenographers (2)	3,000.00
Field Agents	20,570.00

B. Contractual Services:

B-1. Freight, Express and Deliveries	300.00
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B-2. Travel	13,800.00
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C. Supplies:

C-4. Office Supplies and Stamps.	8,000.00
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Total (Item 4) License Tax Division	\$ 72,020.00
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Item 5. Beer and Wine:

A. Personal Service:

A-1. *Salaries:*

Clerks (2)	3,240.00
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Field Agents (3)	5,400.00
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B. Contractual Services:

B-2. Travel	3,600.00
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C. Supplies:

C-4 Office Supplies	1,500.00
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C-11. Other Supplies (Revenue Stamps)	2,500.00
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Total (Item 5) Beer and Wine....	16,240.00
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Item 6. Alcoholic Liquors:

A. Personal Service:

A-1. *Salaries:*

Allocation Clerks (2)	\$ 3,600.00
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Stenographer	1,350.00
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Invoice Clerk	1,350.00
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Field Agents (6)	10,800.00
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Temporary Help	600.00
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B. Contractual Services:

B-2 Travel	6,000.00
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C. Supplies:

C-4. Office Supplies	2,500.00
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Total (Item 5) Alcoholic Liquors..	\$ 26,200.00
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GRAND TOTAL, (South Carolina

Tax Commission	\$ 240,965.00
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Provided, That the Tax Commission is hereby authorized to purchase revenue stamps and to draw warrants for the payment thereof against the revenue account for which they were purchased. *Provided, Further*, That in all counties where the duties of collecting delinquent property taxes have been taken from the sheriffs and imposed upon

tax collectors, such tax collectors are hereby empowered and directed to serve all executions issued by the South Carolina Tax Commission in the same manner as are executions issued by county treasurers for delinquent property taxes. In case where there is lack of definite authority incorporated in Acts creating the office of tax collector, as to the collection of delinquent taxes collected by the South Carolina Tax Commission, the sheriffs of such counties are hereby empowered and directed to serve all executions issued by the Tax Commission for delinquent taxes in the same manner as is now provided by law for the collection of delinquent property taxes.

Provided, Further, That if in the administration of the Beer and Wine and Alcoholic Liquor Acts any emergency should arise which would require the expenditure of funds in excess of the amounts herein appropriated such additional amount as may be needed may, upon the approval of the State Budget Commission, be expended from the revenue of the said Acts: *Provided, Further,* That the amounts herein appropriated for the administration of the Beer and Wine and Alcoholic Liquor Acts shall be transferred from the respective revenue accounts to the General Fund of the State before the allocation of such funds as provided by law.

§ 34. Tax Board of Review.

Item 1. Tax Board of Review:

A. Personal Service:

A-3 Special Payments:

Stenographic Services	\$ 100.00
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Per Diem	300.00
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B-Contractual Services:

B-2. Travel	200.00
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Total (Tax Board of Review)....	\$ 600.00
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§ 35. Insurance Commissioner's Office.

Item 1. Executive Control of Insurance and Fire Prevention:

A. Personal Service:

A-1. Salaries:

Insurance Commissioner	\$ 3,500.00
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Chief Clerk	2,400.00
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Actuary Examiner	2,250.00
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Bookkeeper	1,500.00	
Stenographer	1,350.00	
A-3. Special Payments:		
Extra Clerical Assistance	4,000.00	
B. Contractual Services:		
B-2. Travel	2,200.00	
B-3. Telegraph and Telephone...	500.00	
B-4. Repairs	50.00	
B-5. Printing and Advertising...	250.00	
C. Supplies:		
C-4. Office Supplies	2,350.00	
D. Fixed Charges and Contributions:		
D-1. Rents	80.00	
D-2. Insurance	484.90	
D-3. Contribution — Association Dues	175.00	
G. Equipment:		
G-1. Office Equipment	200.00	
Total (Item 1) Executive Control of Insurance and Fire Prevention		\$ 21,289.90
Item 2. Securities Division:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Chief Clerk	\$ 1,908.00	
A-3- Special Payments:		
Clerical Assistance	1,800.00	
B. Contractual Service:		
B-2. Travel	225.00	
B-3. Telegraph and Telephone...	50.00	
B-5. Printing and Advertising...	100.00	
G. Equipment:		
G-1. Office Equipment	50.00	
Total (Item 2) Securities Division..		\$ 4,133.00
GRAND TOTAL (Insurance Commissioner)		\$ 25,422.90

Provided, That the Commissioner is authorized to use any funds which may be derived from tax on Insurance Companies provided in Section 8001, Vol. III, Code of Laws, 1932, for the purposes set forth in said Section, said funds to be deposited in the State Treasury and withdrawn on warrants of the Comptroller General.

§ 36. State Auditor's Office.

Item 1. State Auditing:

A. Personal Service:

A-1. *Salaries*:

State Auditor	\$ 3,500.00
Assistant Auditors	7,400.00

A-2. *Wages*:

Porter Service	54.00
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A-3. *Special Payments*:

Stenographic Services	1,500.00
Special Audits	2,000.00
Clerical Help	120.00

B- Contractual Services:

B-2. Travel	1,500.00
B-3. Telegraph and Telephone..	200.00
B-4. Repairs	25.00

C. *Supplies*:

C-4. Office Supplies	400.00
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D. Fixed Charges and Contributions:

D-1. Rents	8.00
D-2. Insurance	65.00

G. *Equipment*:

G-1. Office Equipment	150.00
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GRAND TOTAL (State Auditor's Office)	\$ 16,922.00
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Provided, That the State Auditor may contract with independent Accountants for the audit of any State Department or Institution when he may deem it advantageous or wise to do so. The cost of such audits shall be paid from the Appropriation herein made for Special Audits.

§ 37. Board of Fisheries.**Item 1. Inspection of Fisheries:****A. Personal Service:****A-1. Salaries:**

Chairman	\$ 1,440.00
Chief Inspector	1,800.00
Secretary and Bookkeeper ...	1,200.00
District Inspectors (6)	7,920.00

A-3. Special Payments:

Per Diem of Board Members..	640.00
Tender at Large	300.00
Legal Services	300.00
Operation of Shad Hatchery..	800.00
Oyster and Clam Culture.....	700.00

B. Contractual Services:

B-2. Travel	2,000.00
B-3. Telegraph and Telephone...	200.00
B-4. Repairs	1,000.00
B-5. Printing and Advertising ..	25.00
B-6. Water, Heat, Light and Power	75.00

C. Supplies:

C-1. Food Supplies	350.00
C-4. Office Supplies	1,100.00
C-8. Motor Vehicle Supplies....	2,000.00

D. Fixed Charges and Contributions:

D-1. Rents	400.00
D-2. Insurance	375.00

G. Equipment:

G-1. Office Equipment	150.00
G-4. Motor Vehicle Equipment (Boats)	1,000.00

GRAND TOTAL (Board of Fisheries)

\$ 23,775.00

Provided, That an inspector shall be appointed for Jasper County as is provided by law for the appointment of inspectors in the Counties of Beaufort, Charleston, Colleton, Georgetown and Horry.

§ 38. Joint Committee on Printing.**Item 1. For Administration:****A. Personal Service:****A-1. Salaries:**

Secretary	\$ 2,700.00
Office Assistant and Bookkeeper.	1,620.00

A-2. Wages:

Delivery Service	600.00
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A-3. Special Payments:

Members (4), \$5.00 Per Diem.	480.00
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B. Contractual Services:

B-2. Travel	900.00
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B-3. Telegraph and Telephone ..	120.00
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C. Supplies:

C-4. Office Supplies	250.00
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D. Fixed Charges and Contributions:**D-1. Rents:**

Box Rent	6.00
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G. Equipment:

G-1. Office Equipment	100.00
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Total (Item 1) for Administration.	\$ 6,776.00
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Item 2. Printing State Documents:**B. Contractual Services:**

B-5. Printing State Documents..	\$ 50,000.00
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Total (Item 2) Printing State Documents	\$ 50,000.00
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GRAND TOTAL (Joint Committee on Printing)	\$ 56,776.00
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Provided, That the Members of the Joint Committee on Printing shall receive mileage for attending meetings, and the regular per diem allowance for each day of actual service. *Provided, Further*, That all serviceable office furniture and equipment of all State Departments not in use shall be reported and given into the possession of the Joint Committee on Printing, and it shall be the duty of the Committee to allocate and distribute such furniture and equipment to any other department which may require the use of any such

articles of furniture and equipment as may be in possession of the said Joint Committee on Printing, *Provided, Further*, That all furniture and equipment which may be abandoned as unfit for further use shall be sold by the Sinking Fund Commission, as heretofore provided.

§ 39. Board of Medical Examiners.

Item 1. Conducting Medical Examinations:

A. Personal Service:

A-1. *Salaries*:

Secretary\$ 720.00

A-2. *Wages*:

Extra Help 35.00

A-3. *Special Payments*:

Per Diem of Members 840.00

B. Contractual Services:

B-2. Travel 350.00

B-5. Printing and Advertising .. 25.00

D. Fixed Charges and Contributions:

D-1. Rents 120.00

GRAND TOTAL (Board of Medical

Examiners \$ 2,090.00

§ 40. Board of Pharmaceutical Examiners.

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries*:

Secretary\$ 500.00

A-3 *Special Payments*:

Per Diem of Members 360.00

B. Contractual Services:

B-2. Travel 450.00

B-5. Printing and Advertising .. 50.00

C. Supplies:

C-4. Office Supplies 100.00

D. Fixed Charges and Contributions:

D-3. Contributions (Association
Dues) 25.00

GRAND TOTAL (Board of Pharmaceutical Examiners) ..

\$ 1,485.00

§ 41. Board of Dental Examiners.

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

Secretary	\$ 100.00
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A-3. Special Payments:

Per Diem of Members	200.00
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B. Contractual Services:

B-2. Travel	40.00
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B-5. Printing and Advertising..	25.00
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C. Supplies:

C-4. Office Supplies	75.00
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GRAND TOTAL (Board of Dental

Examiners)

\$ 440.00

§ 42. State Service Bureau.

Item 1. For Administration:

A. Personal Service:

A-1 *Salaries:*

State Service Officer	\$ 3,000.00
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Assistant State Service Officer	2,500.00
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Stenographer-File Clerk	1,620.00
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Stenographer	1,200.00
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B. Contractual Services:

B-2 Travel	400.00
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B-3 Telegraph and Telephone ..	175.00
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B-4 Repairs	25.00
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C. Supplies:

C-4 Office Supplies	375.00
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G. Equipment:

G-1 Office Equipment	100.00
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GRAND TOTAL (State Service

Bureau)

\$ 9,395.00

Provided, That the expenditure of funds for administration and operation of the State Service Bureau shall be made upon warrants drawn upon the Comptroller General and approved by the State Service Officer.

§ 43. Department of Agriculture, Commerce and Industries.**Item 1. Superintendence and Records:****A. Personal Service:****A-1 Salaries:**

Commissioner	\$ 4,000.00
Deputy Commissioner	2,700.00
Secretary	1,440.00
Cashier	1,440.00
Clerk	1,000.00

B. Contractual Services:**B-1. Freight, Express and De-**

liveries	125.00
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B-2 Travel	1,000.00
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B-3. Telegraph and Telephone..	1,200.00
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B-4 Repairs	100.00
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B-5 Printing and Advertising:

Market Bulletin	11,000.00
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C. Supplies:

C-4 Office Supplies	10,000.00
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C-7 Educational Supplies	60.00
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C-8 Motor Vehicle Supplies	200.00
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C-11 Other Supplies (Tax Tags and Stamps,.....)	1,000.00
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D. Fixed Charges and Contributions:

D-1 Rents	20.00
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D-2 Insurance	1,805.63
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D-3 Association Dues\$	55.00
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G. Equipment:

G-1 Office Equipment.....	500.00
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Total (Item1) Superintendence and Records	
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\$ 37,645.63

Item 2. Chemical Laboratory:**A. Personal Service:****A-1 Salaries:**

Chief Chemist	\$ 3,000.00
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Chief Oil Chemist.....	2,250.00
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Chief Feed Chemist.....	2,250.00
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Chemists (2)	4,000.00
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Stenographer-Clerk	1,440.00	
Seed Analyst	1,500.00	
A-2 Wages:		
Porter and Laboratory Laborer	566.00	
B. Contractual Services:		
B-1 Freight, Express and Deliveries	300.00	
B-3 Telegraph and Telephone....	100.00	
B-4 Repairs	125.00	
C. Supplies:		
C-2 Fuel Supplies	100.00	
C-4 Office Supplies	150.00	
C-11 Other Supplies	500.00	
G. Equipment:		
G-8 Other Equipment	150.00	
Total (Item 2) Chemical Laboratory		\$ 16,431.00
Item 3. Bureau of Inspection:		
A. Personal Service:		
A-1 <i>Salaries:</i>		
Chief Inspector	\$ 2,500.00	
Inspectors	21,900.00	
B. Contractual Service:		
B-1. Freight, Express and Deliveries	100.00	
B-2 Travel	8,000.00	
G. Equipment:		
G-1 Office Equipment	150.00	
Total (Item 3) Bureau of Inspection		\$ 32,650.00
Item 4. Warehouse Division:		
A. Personal Service:		
A-1 <i>Salaries:</i>		
Chief Bookkeeper	2,100.00	
Assistant Bookkeeper	1,440.00	
Steno-Register Clerk	1,440.00	
Extra Help	3,000.00	
Total (Item 4) Warehouse Division		\$ 7,980.00

Item 5. Bureau of Grading:

A. Personal Service:

A-1 *Salaries*:

Insurance Expert	2,500.00
Cotton Grader (Federal Grader and Classer)	\$ 2,314.00
Cotton Grader and Inspectors..	7,480.00
Cotton Grader and Inspectors (6 months)	1,740.00

B. Contractual Services:

B-2 Travel	5,500.00
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Total (Item 5) Bureau of Grading.	\$ 19,534.00
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Item 6. Natural Resources Division:

A. Personal Services:

A-1 *Salaries*:

Inspector in Charge.....	\$ 2,100.00
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B. Contractual Services:

B-2 Travel	100.00
B-5 Printing and Advertising....	800.00

C. Supplies:

C-4 Office Supplies.....	150.00
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Total Item 7.....	\$ 3,150.00
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Item 8. Exhibits:

D. Fixed Charges and Contributions:

State Fair Exhibit.....	\$ 500.00
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GRAND TOTAL (Department of Ag-
ricultural, Commerce and
Industries)

\$ 117,890.63

Provided, That the Commissioner may use funds collected under Section 1297, Volume 1, Code of Laws of 1932 for the better enforcement of the Seed Inspection Law or purchase of necessary equipment, postage and supplies.

§ 44. Department of Labor.

A. Personal Service:

A-1 *Salaries*:

Commissioner	\$ 3,200.00
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Secretary	2,400.00	
Director of Inspection.....	2,400.00	
Director of Standards and Sta- tistics	2,400.00	
Inspectors	4,000.00	
Building Inspector	2,000.00	
Stenographers (2).....	2,040.00	
File Clerk	1,020.00	
Statistician	1,500.00	
A-2 Wages	100.00	
A-3 Special Payments:		
Clerical Help	100.00	
B. Contractual Services:		
B-1 Freight, Express and Deliv- eries	50.00	
B-2 Travel	4,750.00	
B-3 Telegraph and Telephone....	300.00	
B-4 Repairs	240.00	
B-5 Printing and Advertising....	700.00	
B-7 Other Contractual Services..	50.00	
C. Supplies:		
C-4 Office Supplies	1,000.00	
C-11 Other Supplies	25.00	
D. Fixed Charges and Contributions.:		
D-1 Rents	2,232.00	
D-2 Insurance	60.00	
D-3 Contributions:		
Association Dues	50.00	
Fair Exhibits	225.00	
D-4 Other Fixed Charges	25.00	
G. Equipment:		
G-1 Office Equipment	300.00	
GRAND TOTAL (Department of Labor)		\$ 31,167.00

§ 45. South Carolina Industrial Commission.

Administration:

A. Personal Service:

A-1 *Salaries:*

Commissioners (5 @ \$3,000.00) 15,000.00

Secretary	3,000.00
Claims Examiner	2,100.00
Assistant Claims Examiner ..	1,800.00
Qualification Clerk and Book- keeper	1,500.00
Stenographers (4)	4,800.00
Docket Clerk	1,320.00
Recording Clerk	1,140.00
Medical Examiner	1,200.00
File Clerk	1,140.00
General Clerk	1,200.00
Reporters—Stenotype Op- erators (2)	3,500.00
Safety Inspector	2,000.00
Statistician	1,500.00
A-3 Special Payments:	
Emergency Help	500.00
B. Contractual Services:	
B-2 Travel	\$ 5,000.00
B-3 Telegraph and Telephone ..	600.00
B-4 Repairs	100.00
B-5 Printing and Advertising ..	800.00
B-7 Other Contractual Services..	100.00
C. Supplies:	
C-4 Supplies	3,000.00
D. Fixed Charges and Contributions:	
D-1 Rents	2,412.00
D-2 Insurance	200.00
D-3 Contributions	150.00
G. Equipment:	
G-1 Office Equipment	500.00
G-2 Medical Equipment	100.00

GRAND TOTAL (South Carolina
Industrial Commission) .. \$ 54,662.00

§ 47. State Forestry Commission.

Item 1. Division of Forestry\$ 62,500.00

Item 2. Division of State Parks	12,500.00
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GRAND TOTAL (State Forestry Commission)	\$ 75,000.00
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§ 48. Clemson College (Public Service Activities).

Item 1. Agricultural Research Work \$	46,654.00
Item 2. Tobacco Research Work ...	17,500.00
Item 3. Crop Pests and Diseases	7,903.00
Item 4. Truck Experiment Station ..	14,700.00
Item 5. Edisto Experiment Station ..	25,000.00
Item 6. Livestock Sanitary Work ...	41,500.00
Item 7. Extension Service.....	142,000.00

GRAND TOTAL (Clemson College (Public Service Activities))	\$ 295,257.00
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Under the authority contained in Section 5740 of the Civil Code of South Carolina, Volume 2, 1932, Clemson College is authorized and directed to establish an additional Experiment Station in the Tobacco Belt of South Carolina for research work in tobacco growth and culture. For this purpose, the sum of Seventeen Thousand Five Hundred (\$17,500.00) Dollars is appropriated in Item 2 of this Section. This additional Experimental Station is to be operated in connection with experts of the United States Department of Agriculture, and other Federal Farm agencies, as the other Experimental Stations of the State are now operated.

§ 49. Highway Department.

(a) That all State revenue or income expendable by the State Highway Department shall be consolidated into one fund to be known as "State Highway Fund" and all moneys authorized by law to be expended by the State Highway Commission or Department, shall be paid from said fund; (b) that all moneys expended by the Highway Department shall be upon warrants approved by the Chief Highway Commissioner or such bonded officer or employee as may be designated by the Chief Highway Commissioner; (c) that the Highway Department is required to report monthly to the State Budget Commission all receipts and expenditures of the current fiscal year; (d) every officer authorized by Chapter 128, Vol-

ume III, Code of 1932, to enforce the provisions of said Chapter shall file with the Highway Department a bond in the sum of One Thousand (\$1,000.00) Dollars for the purposes set forth and provided in Section 6004 of said Chapter; (e) that the Secretary-Treasurer of the Highway Department shall be bonded in the sum of Two Hundred Thousand (\$200,000.00) Dollars; (h) that the Highway Department is hereby authorized to issue duplicate warrants or vouchers upon or by requiring an indemnity bond executed by the payee and guaranteed by a responsible party; (i) that the Motor Vehicle Division is hereby authorized and directed to issue individual driver's licenses made of metal at an additional charge of ten (10c) cents each. (j) The State Highway Department is hereby authorized and empowered to hard surface such streets or roads, including sidewalks, at any State Institution as the said Department together with the Board of Trustees or other governing body of such State Institutions may deem necessary and the cost of such improvement to be paid from the State Highway Fund. (k) The State Highway Department is hereby authorized to pay from the State Highway Funds claims of employees of the said Department arising under the provisions of the Workmen's Compensation Act which are recommended for payment by the said Department and have the approval of the State Industrial Commission. (m) The Highway Department is hereby authorized and directed to pay to the legal representative or guardian of the infant daughter of M. P. Fanning for her maintenance and support the sum of Nine Hundred Seventy-Five and 21/100 Dollars (\$975.21), on account of the accidental death of Highway Patrolman M. P. Fanning while engaged in the discharge of his duties on or about June 15th, 1935. (n) That the State Highway Department shall deposit with the State Treasurer an amount equal to one-half of the amount appropriated for the administration of the office of the Attorney General to be applied to the payment of the appropriation for the office of the Attorney General.

§ 50. Chief Game Warden's Office.

Item 1. Superintendence and Records:

A. Personal Service:

A-1 Salaries:

Chief Game Warden	\$ 3,500.00
Chief Clerk	2,400.00
Stenographer-File Clerk	1,350.00

B. Contractual Services:

B-1 Freight, Express and Deliveries	25.00
B-2 Travel	2,000.00
B-3 Telegraph and Telephone ..	250.00
B-4 Repairs	725.00

C. Supplies:

C-4 Office Supplies	1,000.00
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D. Fixed Charges and Contributions:

D-2 Insurance and Bonds	600.00
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G. Equipment:

G-1 Office Equipment	150.00
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Total (Item) Superintendence of Records	\$ 12,000.00
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Item 2. Enforcing License Tax on Fur Dealers:

A. Personal Service:

A-1. *Salaries:*

Chief Clerk (Fur Tax Division)	2,400.00
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B. Contractual Services:

B-1 Freight, Express and Deliveries	25.00
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C. Supplies:

C-4 Office Supplies (Fur Tags and Forms)	600.00
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Total (Item 2) Enforcing License Tax on Fur Dealers	\$ 3,025.00
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GRAND TOTAL (Chief Game Warden's Office)	\$ 15,025.00
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Provided, That the appropriation made in this section shall be paid from the Game Protection Fund.

§ 51. Board of Bank Control.

Item 1. Board of Bank Control:

A. Personal Service:

A-1. *Salaries:*

Secretary	\$ 1,700.00
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A-2. Wages:

Porter Service	84.00
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A-3. Special Payments:

Per Diem of Board	350.00
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B. Contractual Services:

B-2. Travel	550.00
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Total (Item 1)	\$	2,684.00
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Item 2. Examination of State Banks:

A. Personal Service:

A-1. *Salaries:*

Chief Bank Examiner	\$ 3,600.00
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Assistant Examiners	7,500.00
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Secretary	1,800.00
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Stenographer	1,680.00
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Junior Examiner	1,350.00
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A-2. Wages:

Porter Service	54.00
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A-3. Special Payments:

Temporary Assistance	500.00
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B. Contractual Services:

B-2. Travel	5,400.00
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B-3. Telegraph and Telephone ..	740.00
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B-4. Repairs	80.00
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B-5. Printing and Advertising ..	600.00
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C. Supplies:

C-4. Office Supplies	1,000.00
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D. Fixed Charges and Contributions:

D-1. Rent	8.00
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D-2. Insurance	125.00
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D-3. Contributions	40.00
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G. Equipment:

G-1. Office Equipment	350.00
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Total (Item 2)	\$	24,827.00
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Item 3. Building and Loan Examination:

A. Personal Service:

A-1. *Salaries:*

Assistant Examiners	\$ 5,000.00
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Stenographer	1,440.00
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B. Contractual Services:

B-2. Travel 2,500.00

C. Supplies:

C-4. Office Supplies 400.00

Total (Item 3)	\$ 9,340.00
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GRAND TOTAL (Board of Bank Control)	\$ 36,851.00
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Provided, That all fees or other income from the examination of State Banks, or for special audits or examinations thereof, and all fees for the examination of building and loan associations and cash depositories shall be remitted to the State Treasurer for credit to the General Fund of the State.

Provided, Further, That in addition to the statements now required by Section 7855 of the Code of 1932 to be filed in the office of the Clerks of Court by receivers and liquidating agents of closed banks, such receivers and liquidating agents shall file in the office of the Chief Bank Examiner statements of receipts and expenditures, itemized so as to show the source of such receipts, the nature of such expenditures, and the balance of cash on hand; such statements to be filed within six (6) months of the date of approval of this Act, and every six (6) months thereafter during the respective terms of administration of such receivers and liquidating agents.

§ 52. Public Service Commission.

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries*:

Chairman\$ 3,036.00

Commissioners (6 @ \$2,800.00
each) 16,800.00

Secretary 2,200.00

Rate Expert 2,760.00

Chief Engineer 2,760.00

Stenographer and Record Clerk 1,620.00

Stenographer\$ 1,620.00

Reporter 1,350.00

A-2. Wages 400.00

A-3. Special Payments:		
Expert and Clerical Assistance.	2,420.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	20.00	
B-2. Travel	3,200.00	
Expense of Commissioners (7)		
@ \$600.00 each	4,200.00	
B-3. Telegraph and Telephone ..	700.00	
B-4. Repairs	50.00	
B-5. Printing and Advertising ..	1,650.00	
C. Supplies:		
C-4. Office Supplies	1,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	1,666.67	
D-3. Contributions	775.00	
G. Equipment:		
G-1. Office Equipment	500.00	
Total (Item 1) For Administration	\$	48,727.67
Item 2. Motor Transport Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Superintendent	\$ 2,800.00	
Office Assistant	1,800.00	
Stenographer	\$ 1,620.00	
Steno-Clerk	1,550.00	
Inspectors (10)	16,000.00	
A-2. Wages	104.00	
A-3. Special Payments:		
Reporter	660.00	
Experts, Investigations and Clerical Help	500.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	15.00	
B-2. Travel	11,000.00	
B-3. Telegraph and Telephone ...	200.00	

B-4. Repairs	30.00
B-5. Printing and Advertising ..	200.00
C. Supplies:	
C-4. Office Supplies	1,200.00
D. Fixed Charges and Contributions:	
D-1. Rents	900.00
D-2. Insurance	175.00
G. Equipment:	
G-1. Office Equipment	150.00

Total (Item 2) Motor Transport Division	\$ 38,904.00
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Item 3. Utilities Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 4,000.00
Asst. Director	3,000.00
Chief Counsel	\$ 2,400.00
Consultant Counsel	1,200.00
Consultant and Valuation Engineer	2,700.00
Chief Accountant	3,250.00
Land Appraisal Engineer	2,400.00
Accountant	2,100.00
Accountant	2,100.00
Statistician	2,100.00
Rural Engineer	2,700.00
Field Engineer	2,850.00
Rate Engineer	2,760.00
Valuation Engineer	2,100.00
Electrical Engineer	2,100.00
Civil Engineer	1,800.00
Electrical Engineer	1,800.00
Record Clerk-Stenographer ..	1,650.00
Stenographer	1,350.00
Stenographer	1,350.00
Reporter	300.00
Typist	900.00
Janitor	200.00

B. Contractual Services:

B-2. Travel	9,000.00
B-3. Telegraph and Telephone...	600.00
B-5. Printing, Stamps, Equipment and Miscellaneous	2,500.00
For additional experts, expenses of witnesses, supplies, travel and other necessary expenses	20,000.00

Total (Item 3) Utilities Division...	\$ 79,210.00
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GRAND TOTAL (Public Service Commission)	\$ 166,841.67
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Provided, That the appropriation for Item 3 of this Section shall be assessed against and collected from the Electric Light and Power Companies, operating in this State and shall be based upon the gross revenues of said companies from their business done wholly within the State of South Carolina as is set out in Sections 8249, 8250 and 8292 of the Code of Laws of South Carolina, 1932, and in Act No. 871 of the Acts of 1932.

Provided, Further, That the Attorney General is hereby authorized and empowered to employ such legal counsel as is authorized in this section upon the recommendation of the Public Service Commission for the fiscal year ending June 30, 1938, at a total cost of not exceeding Four Thousand Six Hundred (\$4,600.00) Dollars, and no one attorney or firm shall receive more than Two Thousand Four Hundred (\$2,400.00) Dollars for any one year's service. The said salary shall be paid out of the funds of the Public Service Commission assessed and collected as aforesaid, and shall be in full for all services rendered to the Commission, and the said legal counsel shall not be authorized to receive or accept additional compensation from any other source for his or their services in representing the Commission.

Provided, Further, That the rents paid by the Public Service Commission shall be paid to the Sinking Fund Commission as a part of the annual payment to be made by the State of South Carolina to said Sinking Fund Commission to retire the debt on the State Office Building.

Provided, Further, That the members of the Public Service Commission shall draw travel allowance only when engaged in official business away from Columbia.

Provided, Further, That Telephone Companies are authorized to furnish free telephone service for the official business of the Public Service Commission. That the appropriations herein made for Telegraph and Telephone shall be used to pay the cost of telephones, toll calls and telegrams by members of the Commission, or employees of the Commission upon official business only.

Provided, Further, That all public service companies doing business in this State, shall, on or before June 30, 1937, furnish the Comptroller General, in such form as he may require, a statement setting forth the gross income of such public service company for the period ending December 31st, 1936. *Provided, Further,* That authority is hereby granted for the Motor Transport Division to move its quarters from the State Office Building, if necessary to provide more office space, and to expend the appropriation herein provided for office rent for the rental of any other quarters.

Provided, Further, That there is hereby appropriated the additional sum of \$25,000.00 for the Public Service Commission to be used by the said Public Service Commission in its discretion in the investigation and fixing of the rates of the telephone companies operating in the State of South Carolina or any of them and the said appropriation of \$25,000.00 shall be assessed against and collected from the telephone companies operating in this State and shall be based upon the gross revenues of said companies from their business done wholly within the State of South Carolina, as is set out in Sections 8249, 8250 and 8292 of the Code of Laws of South Carolina, 1932, and in Act No.871 of the Acts of 1932. *Provided, However,* That the appropriation herein provided for this purpose shall not be available before October 1, 1937, and if an adjustment of rates is made by any of the telephone companies operating within this State, prior to October 1, 1937, satisfactory to the Public Service Commission, no assessment shall be levied on such companies, nor shall such companies be included in the investigation herein authorized. *Provided, Further,* That the tax herein levied shall not apply to telephone companies operating in one county only and not charging more than Three Dollars and Fifty Cents (\$3.50) per month for single line telephones, nor shall this provision apply to companies whose gross

income in South Carolina is less than Ten Thousand (\$10,000.00) Dollars per year.

§ 53. South Carolina Aeronautics Commission.

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 3,600.00
Office Manager	1,500.00
Field Man	1,200.00

A-3. Special Payments:

Extra Help	200.00
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B. Contractual Services:

B-2. Travel	\$ 2,000.00
B-3. Telegraph and Telephone..	350.00
B-4. Repairs	250.00
B-5. Printing and Advertising...	200.00

C. Supplies:

C-4. Office Supplies	500.00
C-8. Motor Vehicle Supplies ...	1,000.00

D. Fixed Charges and Contributions:

D-1. Rents	800.00
D-2. Insurance	1,129.61

G. Equipment:

G-1. Office Equipment	500.00
G-4. Motor Vehicle Equipment..	100.00

GRAND TOTAL (S.C. Aeronautics Commission)	\$ 13,329.61
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Provided, That the amount of the appropriation made in this Section shall be transferred from the "State Aviation Fund" to the General Fund of the State for the payment of this appropriation.

§ 54. Electrician and Engineer.

Item 1. Electrical and Engineering Service:

A. Personal Service:

A-1. *Salaries:*

State Electrician	\$ 3,000.00
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Assistant Electrician	1,800.00	
Mechanic	1,800.00	
A-2. Wages:		
Laborers and Repairmen	935.00	
A-3. Special Payments:		
Stenographic Service	110.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	35.00	
B-2. Travel	150.00	
B-3. Telegraph and Telephone...	100.00	
B-4. Repairs	750.00	
C. Supplies:		
C-1. Fuel Supplies	1,750.00	
C-4. Office Supplies	50.00	
C-11. Other Supplies	700.00	
D. Fixed Charges and Contributions:		
D-1. Rents:		
Post Office Box.....	6.00	
D-2. Insurance	47.10	
G. Equipment:		
G-8. Other Equipment	400.00	
Total (Electrician and Engineer) ..	\$	11,633.10

§ 55. Commission on State House and Grounds.

For Administration:

A. Personal Service:		
A-1. <i>Salaries:</i>		
Gardener	\$	1,350.00
Night Watchman		1,350.00
A-2. Wages:		
Janitress		340.00
Laborers		300.00
B. Contractual Services:		
B-1. Freight, Express and Deliveries		50.00
B-3. Telegraph and Telephone...		85.00
B-4. Repairs		800.00
B-6. Water, Heat, Light and Power		3,000.00

C. Supplies	800.00
G. Equipment	60.00

Total, Commission on State House and Grounds	\$ 9,485.00
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§ 56. Sinking Fund Commission.

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Secretary	\$ 3,300.00
Assistant Secretary and Chief Clerk	2,400.00
Actuary Examiner	1,700.00

A-3. Special Payments:

Per Diem of Members @ \$5.00	200.00
Stenographic Services	900.00

B. Contractual Services:

B-2. Travel	500.00
B-3. Telegraph and Telephone...	200.00
B-4. Repairs	50.00
B-5. Printing and Advertising...	200.00

C. Supplies:

C-4. Office Supplies	200.00
C-8. Motor Vehicle Supplies....	200.00

D. Fixed Charges and Contributions:

D-2. Premiums on Bond.....	25.00
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Total (Item 1) for Administration	\$ 9,875.00
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Item 2. State Office Building—Up-keep of Building and Grounds:

A. Personal Service:

A-1. Salaries:

Superintendent	\$ 1,350.00
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A-2. Wages:

Janitors and Cleaners.....	3,255.00
Elevator Operators @ \$20.00 each per week).....	2,400.00
Laborers	1,500.00
Window Washers.....	600.00

B. Contractual Services:

B-1. Freight, Express and Deliveries	50.00
B-4. Repairs	3,600.00
B-6. Light, Power and Water...	6,000.00

C. Supplies:

C-4. Office Supplies	100.00
C-5. Laundry Supplies	400.00
C-9. Agricultural Supplies	50.00
C-11. Other Supplies	500.00

D. Fixed Charges and Contributions:

D-2. Insurance	725.10
D-4. Annual Payment to Sinking Fund Commission for retirement of State Office Building Debt	54,375.00

G. Equipment:

G-8. Other Equipment.....	300.00
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Total (Item 2) State Office Building—Upkeep of Building and Grounds

\$ 75,205.10

GRAND TOTAL (Sinking Fund Commission)

\$ 85,080.10

Provided, That the appropriation for Item 1 of this Section shall be paid from revenues of the Sinking Fund Commission.

§ 57. Civil Contingent Fund.**Item 1. Government Contingencies:**

E. Contingencies	\$ 30,000.00
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Total Civil Contingent Fund.....

\$ 30,000.00

Provided, That the Civil Contingent Fund may be expended upon the unanimous approval of the Contingent Fund Committee, consisting of the Governor, Chairman of the Senate Finance Committee and Chairman of the Ways and Means Committee, to meet the emergency and contingent expenses of the State Government and that the legislative members of the said Committee shall receive a per diem of Five (\$5.00) Dollars and expenses as specified in this Act.

§ 58. Contributions.**Item 1. Catawba Indians:****A. Personal Service:****A-3. Special Payments:**

Financial Agent	\$ 450.00
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D. Fixed Charges and Contributions:**D-3. Contributions:**

Indian Schools	1,500.00
Support	7,500.00

Total (Item 1) Catawba Indians...	\$ 9,450.00
Item 2. Aid for Crippled Children..	20,000.00
Item 3. Association for the Blind...	9,000.00
Item 4. Confederate Museum.....	100.00
Item 5. Confederate Veterans' Association	1,500.00
Item 6. Palmetto Camp Confederate Veterans	400.00
Item 7. Woodrow Wilson Home—Maintenance	500.00
Item 8. Spanish War Veterans.....	1,000.00
Item 9. State Fair Association.....	1,000.00
Item 10. American Legion—Historical Marker Work.....	1,500.00

GRAND TOTAL (Contributions)...	\$ 44,450.00
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Provided, That the State Budget Commission is hereby authorized and empowered to negotiate and enter into an agreement with the proper agency of the Federal Government relating to the future care and supervision of the Catawba Indians. In the event that such an agreement is effected with the Federal Government whereby the State will be relieved of the care and supervision of the Catawba Indians, the said Budget Commission is hereby empowered to authorize the expenditure of not exceeding One Hundred Thousand (\$100,000.00) Dollars for this purpose. The State Budget Commission is empowered either to borrow this sum and to pledge the credit of the State for its payment over a number of years or to authorize its expenditure from any funds in the State Treasury if it is deemed wise or expedient by the said Budget Commission. Within the limitations prescribed herein, the State Budget Commission is authorized and empowered to purchase land, if necessary, or to provide proper school

facilities, or to agree on the part of the State to the performance of any other conditions which may be stipulated in the said agreement.

Provided, Further, That all funds appropriated in Item 2 as Aid for Crippled Children shall be disbursed by the State Board of Health of South Carolina. This appropriation shall be expended by the State Board of Health through the various accredited recognized orthopedic surgeons of this State, in a just and equitable manner. Each case shall first be investigated by the County Health Department and shall be determined to be of a charity indigent character and disabled by a condition classified as orthopedic. *Provided, However,* That in the case of counties which have no County Health Department, the investigations of such applicants shall be made by the State Board of Health. The patient or the family physician may obtain the services of the orthopedic surgeon of their choice, or the State Board of Health will refer them to the nearest and most conveniently located orthopedic surgeon that is available. Upon application for aid to each individual case after aforesaid due investigation has been made, the State Board of Health is authorized to pay the necessary hospital expenses at the usual charity ward rate, and also to pay the cost of a brace or other appliance when necessary and when the same cannot be otherwise provided, but no part of this appropriation shall be used to pay for surgical treatment. That in the event funds are obtained from the Federal Government, or any of its subdivisions or agencies, for Aid to Crippled Children, that the same shall be disbursed by the State Board of Health as directed or budgeted by the Federal Government. *Provided, Further,* That the State Board of Health is hereby authorized to apply to the Federal Government for financial or other aid for this work and receive any Federal Funds which may be obtained therefor, and that unless otherwise prohibited, such funds shall be deposited in the State Treasury and disbursed upon warrants of the Comptroller General, with the approval of the State Health Officer. *Provided, Further,* That this paragraph shall be inoperative if the General Assembly by particular Act now or subsequently enacted shall make other definite provision for the administration of aid to crippled children.

Provided, Further, That the appropriation in Item 5 for the Confederate Veterans Association shall be disbursed by a warrant or warrants payable to the State Commander, and the Appropriation in Item 6 for Palmetto Camp, Confederate Veterans, shall be payable to the Commander of Palmetto Camp.

§ 59. Miscellaneous Items.

Rural Electrification Authority	\$ 21,000.00
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§ 60. Recapitulation.

Section 2.	Legislative Department	\$ 133,881.30
Section 3.	Judicial Department	239,193.50
Section 4.	Governor's Office	90,454.06
Section 5.	Secretary of State	14,245.00
Section 6.	Comptroller General	339,944.50
Section 7.	Attorney General	20,968.50
Section 8.	State Treasurer	244,941.36
Section 9.	Adjutant General	50,583.78
Section 10.	University of South Carolina	265,000.00
Section 11.	The Citadel	150,000.00
Section 12.	Clemson College (Collegiate Activities)	115,000.00
Section 13.	Winthrop College	250,000.00
Section 14.	Medical College	140,000.00
Section 15.	State Colored College	82,500.00
Section 16.	John De La Howe School	80,000.00
Section 17.	School for the Deaf and the Blind	89,860.23
Section 18.	Superintendent of Education	4,760,071.49
Section 19.	South Carolina Textbook Commission..	18,555.00
Section 20.	Historical Commission	7,275.10
Section 21.	State Library	4,455.50
Section 22.	Confederate Relic Room	1,440.00
Section 23.	State Hospital	1,003,047.54
Section 24.	State Training School	175,000.00
Section 25.	South Carolina Sanatorium	190,000.00
Section 26.	Confederate Infirmary	23,925.20
Section 27.	Children's Bureau	18,955.00
Section 28.	South Carolina Penitentiary	93,000.00
Section 29.	Industrial School for Boys	72,000.00
Section 30.	Industrial School for Girls	38,894.75
Section 31.	Reformatory for Negro Boys	27,163.00
Section 32.	Board of Health	158,307.00
Section 33.	Tax Commission	240,965.00
Section 34.	Tax Board of Review	600.00
Section 35.	Insurance Commissioner	25,422.90
Section 36.	State Auditor	16,922.00
Section 37.	Board of Fisheries	23,775.00
Section 38.	Joint Committee on Printing	56,776.00

Section 39.	Board of Medical Examiners	2,090.00
Section 40.	Board of Pharmaceutical Examiners ...	1,485.00
Section 41.	Board of Dental Examiners	440.00
Section 42.	State Service Bureau	9,395.00
Section 43.	Department of Agriculture, Commerce and Industries	117,890.63
Section 44.	Department of Labor	31,167.00
Section 45.	South Carolina Industrial Commission ..	54,662.00
Section 46.	South Carolina Unemployment Compen- tion Commission	42,118.44
Section 47.	State Forestry Commission	75,000.00
Section 48.	Clemson College (Public Service Activi- ties)	295,257.00
Section 49.	Highway Department	
Section 50.	Chief Game Warden	15,025.00
Section 51.	Board of Bank Control	36,851.00
Section 52.	Public Service Commission	166,841.67
Section 53.	South Carolina Aeronautics Commission \$	13,329.61
Section 54.	Electrician and Engineer	11,633.10
Section 55.	Commission on State House and Grounds	9,485.00
Section 56.	Sinking Fund Commission	85,080.10
Section 57.	Contingent Fund Committee	30,000.00
Section 58.	Contributions	44,450.00
Section 59.	Miscellaneous Items	21,000.00
GRAND TOTAL		10,326,323.26

§ 61. It shall be the policy of all State institutions and all departments of the State Government to show a preference for materials and supplies of such satisfactory classes as are manufactured or produced in South Carolina but not to bar from competition the same classes of materials and supplies as are manufactured or produced elsewhere.

§ 62. That it shall be unlawful for any State institution or department of the State Government to enter into a contract for the services of any person, or persons, based upon an increase of salary during a subsequent year, or years, which, in effect, would be anticipating the action of the General Assembly with regard to salary increases: *Provided, Further,* That all State institutions and departments are hereby forbidden to accept, in advance of legislative action, any gifts from the Federal Government or otherwise, which

gifts, or donations are based and conditioned upon the State making an appropriation to match or supplement such fund so donated by an outside agency.

§ 63. That all moneys can be expended only by drawing vouchers upon the Comptroller General, such vouchers to be accompanied by statements of expenditure classified according to the budget classification of objects of expenditure (as defined in the budget for the fiscal year beginning July 1, 1937), and itemized in detail.

§ 64. That transfers may be made within the departments, or from one department to another, upon the written approval of the Contingent Fund Committee.

§ 65. Every appropriation under the classification of A-1 Salaries for a designated position shall be paid in equal monthly or semi-monthly installments to the person holding such position, but in the case where a group appropriation is made for personal service, such appropriation shall be expended as may be determined by the officer in charge of such appropriations: *Provided*, That the appropriated salaries for specified positions or employees shall mean the maximum compensation for such positions, and in any case where the head of any department can secure the services for a particular position or work at a lower rate than the salary specified in this Act, authority for so doing is hereby given.

§ 66. That when any officer or employee of this State shall use his or her automobile in travel for the transaction of necessary official business for the State, it is hereby provided that for the use of such automobile there shall be charged against the State a rate of mileage not exceeding five (5¢) per mile, for the actual distance traveled, and the Comptroller General is hereby directed to enforce this provision: *Provided*, He or she files with claim his or her affidavit as to mileage, place and business attended to. *Provided, Further*, That when it is convenient to the business in hand, as expeditious as otherwise, and will result in a saving to the State, employees are hereby required to travel by rail or bus, and the Comptroller General is hereby directed to enforce this provision.

§ 67. That the legislative members of State Boards and Commissions shall serve in their respective capacities as members of said boards and commission until their successors shall have been elected or appointed and qualified.

§ 68. That the Superintendent of the Penitentiary is hereby authorized and directed to furnish, upon request of the Commission on

State House and Grounds, necessary labor for the State Capitol and grounds, and upon request of the Governor such labor details for the Executive Mansion and the State Hospital as the Governor may deem necessary.

§ 69. That all officers and employees of the State of South Carolina, or any agent thereof, while traveling on the business of the State, shall be paid at the rate of Three Dollars and Fifty Cents (\$3.50) per day as expenses, exclusive of transportation, for travel away from his official headquarters, or post of duty; and that no expense for subsistence shall be allowed at the official headquarters of officers, or place of residence of employees; that the place of residence of all traveling employees shall be designated as the official post of duty at which no expense shall be allowed. That Columbia shall be designated as the official post of all officers and employees engaged regularly at Columbia except members of Departments, Boards or Commissions or officers who are allowed a per diem and expense while away from their place of residence on official business. That the Comptroller General is hereby authorized and directed to require that all expense accounts for travel shall be submitted under oath, properly itemized and classified on standard, uniform forms for all officers and employees, to be furnished by the Comptroller General, and the Comptroller General is hereby required to make a careful and thorough audit of all travel expense claims filed in his office and report to the next General Assembly any irregularities: *Provided, Further,* That the officers and employees of the State traveling outside of the State on official business shall charge their actual expenses, not to exceed Six (\$6.00) Dollars per day, exclusive of transportation.

§ 70. The Comptroller General is hereby authorized to depute any Clerk or Clerks in his employ to sign, in his stead warrants drawn against the Treasury in payment of fixed appropriated items including salaries and other routine payments and the State Treasurer is hereby authorized to accept such signatures when notified by the Comptroller General: *Provided,* That the delegation of this authority shall in no way relieve the Comptroller General of responsibility.

§ 71. That the net collections from sale of surplus power by the State Electrician and Engineer to the Broad River Power Company shall, as collected, be turned over to the State Treasurer and credited to the General Fund of the State: *Provided,* That the State Electrician and Engineer is hereby authorized and empowered to build

and maintain extension electric light and power lines and transformers, to and within the various State institutions where current is furnished by the State Electrician and Engineer, and pay for same out of fees collected from the sale of electric current: *Provided, Further,* That the State Electrician shall pay from the revenues of his Department for water consumed by the various institutions of the State, and shall collect from the various institutions for the amount of water consumed by them, and remit such collections to the State Treasurer.

§ 72. That the State Auditor is hereby empowered and directed to require the installation and adoption of a system of accounts in all State Departments and Institutions, which, in his opinion, is adequate for the needs of such department or institution, and that he may, from time to time, require the various departments and institutions to supply information which he may deem necessary or expedient in the discharge of the duties of his office. The said State Auditor shall be appointed by the Governor, the Chairman of the Senate Finance Committee and the Chairman of the Ways and Means Committee of the House of Representatives, or a majority thereof.

§ 73. The name of any Department of the State Government may be used for the purpose of obtaining group insurance for the officers and employees of the State: *Provided,* That no part of the cost or expense shall be paid from State funds.

§ 74. That the head of any institution of the State Government which by statute is placed under the supervision of the Board of Public Welfare may approve warrants for the expenditure of funds appropriated for such institutions in this Act.

§ 75. Where a lump sum appropriation is made for any of the institutions, expenditures for personal service shall be drawn from the Treasury monthly or semi-monthly as required except as may be otherwise provided herein: *Provided,* That the authorities of all institutions for which a lump sum appropriation is made shall make a quarterly itemized report to the Budget Commission of all expenditures: *Provided, Further,* That no part of such lump sum appropriations shall be used for Permanent Improvements unless specifically authorized herein.

§ 76. That in all cases where the various counties have provided for the payment of taxes in installments no part of the cost of books, receipts or other records made necessary thereby shall be borne by the State: *Provided,* That any discount on the State's portion of the

taxes collected shall be absorbed by the County so that no discount shall be allowed on State taxes.

§ 77. That except as otherwise hereinbefore provided the base pay of Legislative Clerks and Attaches, designated in Section 2 of this Bill, shall apply to a Session of forty legislative days, and that each clerk and attache shall receive additional compensation for such service at the same rate for each legislative day in excess thereof, the same to be paid from the approved accounts of the respective Houses. *Provided, However,* That Laborers and Porters shall be paid for six days of each week of the entire session.

§ 78. That if necessary the Boards of Trustees of State institutions of higher learning shall limit the admission of students upon the basis of scholarship standing, or upon any other basis determined upon by the respective Boards: *Provided, Further,* That no new State Scholarships shall be granted to State institutions of higher learning, viz: University of South Carolina, The Citadel, Clemson College, Winthrop College and the State Medical College.

§ 79. That in the various institutions of higher learning no student shall be granted free tuition: *Provided,* That tuition for the scholastic year beginning July 1, 1937, and thereafter, shall be fixed by the respective Governing Boards of said institutions at not less than Sixty (\$60.00) Dollars nor more than Seventy (\$70.00) Dollars each for the residents of the State of South Carolina, and not less than One Hundred and Fifty (\$150.00) Dollars nor more than One Hundred and Seventy Five (\$175.00) Dollars for non-residents of the State of South Carolina: *Provided, Further,* That no student activity fees shall be charged in excess of Seventeen Dollars and Fifty Cents (\$17.50) per year: *Provided, Further,* That the tuition fees to be charged by said Governing Boards at the Medical College, and in the Law School of the University of South Carolina, and by the State Colored College shall not be subject to the above limitations.

§ 80. The various institutions of higher learning are authorized to use tuition and other fees for the maintenance and operation of the several institutions, but no part of such fees shall be used for the construction of new buildings, or the purchase of additional lands, nor shall such fees be pledged in advance to secure loans for such purposes unless specifically authorized herein or by other statutes authorizing such loans.

§ 81. The State Highway Department is hereby authorized and empowered to purchase such reimbursement highway bonds of Chesterfield County as were issued by said County on or about the 15th day of June, 1928, but said department shall purchase only such bonds, including interest coupons, as shall mature within one year from the approval of this Act, and the purchase of said bonds including interest coupons, by said department, shall be made without waiving any rights whatsoever, in law or equity, which the present holders of said bonds may have, and which, by purchase or transfer, become vested in the State Highway Department and the State of South Carolina against Chesterfield County. The State Highway Department is authorized to purchase these bonds, and interest coupons, and take such assignments and transfers as shall vest in said State Highway Department and the State of South Carolina all the rights whatsoever that the bondholders now have, or at any time may have against Chesterfield County for the enforcement and collection of same: *Provided*, That there is hereby levied upon all the taxable property in Chesterfield County two (2) mills, which the Auditor of said County is hereby required to levy and the Treasurer of said County is required to collect and remit the proceeds thereof to the State Treasurer, who shall credit all amounts so received to the State Highway Fund.

§ 82. The Governor, the Chairman of the Senate Finance Committee and the Chairman of the Ways and Means Committee of the House of Representatives shall constitute the State Budget Commission. All of the powers and duties devolved upon the Governor, the Chairman of the Senate Finance Committee and the Chairman of the Ways and Means Committee of the House, in Section 3213 to Section 3222, inclusive, Code of Laws of 1932, are hereby devolved upon the State Budget Commission. In addition thereto, the said State Budget Commission is hereby given full power and authority to make surveys, studies, and examinations of departments, institutions and agencies of this State, as well as its problems, so as to determine whether there may be an overlapping in the performance of the duties of the several departments and institutions and agencies of the State, and for the purpose of determining whether the proper organization and system of accounting is maintained in such departments, institutions, commissions, and agencies and to require and direct the installation of the same whenever it is necessary and proper, and to survey, appraise, examine and inspect, and determine

the true condition of all property of the State, and what may be necessary to protect it against fire hazard or deterioration, and to conserve its use for State purposes and to make an issue and to enforce all necessary, needful and convenient rules and regulations for the enforcement of this provision.

§ 83. Any maintenance appropriations made herein, or by special act now or hereafter, are hereby declared to be maximum, conditional and proportionate, the purpose being to make them payable in full in the amount named herein, if necessary and then only in the event the aggregate revenues available during the period for which the appropriation is made are sufficient to pay them in full. The Budget Commission shall have full power and authority to survey the progress of the collection of revenue and the expenditure of funds by all Departments and institutions, and are hereby authorized to make such reductions of appropriations as may be necessary to prevent a deficit: *Provided*, That no institution or activity for which the General Assembly has herein provided shall be discontinued: *Provided, Further*, That the Commission shall have authority in its discretion to reduce appropriations for penal and charitable institutions on other than a proportional or *pro rata* basis: *Provided, Further*, That no liability shall be imposed on the State for the unpaid portion of any appropriation which may be reduced hereunder.

§ 84. That the per diem allowance of all Boards, Commissions and Committees shall be at the rate of Five (\$5.00) Dollars per day.

§ 85. That salaries paid to officers and employees of the State, including its several Boards, Commissions and Institutions, shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee; *Provided, However*, That this shall not apply to the Governor's Mansion nor to any State employee whose cash compensation shall be less than \$1,000.00 per year. *Provided, Further*, That in the state departments and institutions for the operation of which a lump sum appropriation is made herein, the average salary increase of salaries above Twelve Hundred (\$1,200.00) Dollars shall not exceed eight (8) percent, and for salaries of Twelve Hundred (\$1,200.00) Dollars or less the average increase shall not exceed ten (10) percent.

§ 86. The State Finance Committee is hereby authorized to settle by compromise, in its discretion, any uncollected past due obligations held by the State, *Provided*, That any such compromise shall in the judgment of said Committee be in the interest of the State. *Provided, Further*, That the State Finance Committee is hereby authorized and empowered to refinance any indebtedness of the State when a sufficiently lower rate of interest can be obtained to justify the refinancing of such indebtedness.

§ 87. That all income or revenue now on hand or hereafter received by each of the correctional or welfare State Institutions shall be remitted with reasonable promptness, but at least monthly, to the State Treasury for credit to the appropriation accounts of the respective institutions, and shall be withdrawn therefrom as needed and used for the current operation of the institutions. *Provided, However*, That the provisions of this Section shall not apply to donations received specifically for the comfort of the Inmates or Patients.

§ 88. The State Treasurer, with the advice and approval of the State Finance Committee, is hereby authorized and directed to consolidate into a general Deposit Account, all monies held by the State Treasurer for the account of all State Funds which, in the opinion of the State Finance Committee, may be properly consolidated. The State Finance Committee shall designate the accounts which shall be consolidated and the accounts which shall be carried as special deposits. The records of the State Treasurer and the Comptroller General shall, at all times, reflect the true cash balance of each Fund comprising the General Deposit Account. Properly authorized obligations of the respective State Funds comprising the General Deposit Account shall be paid therefrom, but no overdraft shall be permitted in any Fund which will not be covered by the receipt of revenue or monies belonging to such Fund within a reasonable time. The Treasurer shall at all times maintain a sufficient cash reserve in the General Deposit Account to properly finance the activities supported by the respective Funds comprising the General Deposit Account, and to this end the State Finance Committee is authorized to borrow, from time to time, such amounts as are necessary. To the end that such borrowing may be kept at a minimum, the State Treasurer may require of any Department or Institution of the State Government a monthly or quarterly anticipation of its expenditures. All Acts or parts of Acts requiring the separate deposit of monies held for the

account of special State Funds are subordinated to the terms of this Section.

§ 89. For the purpose of retiring \$2,280,000.00 outstanding notes of the State with interest thereon, known as State Deficit Notes, the sum of \$2,500,000.00 is hereby transferred from the State General Fund to the Commissioners of the Sinking Fund, and the Comptroller General is hereby authorized and directed to issue his warrant for \$2,500,000.00 payable to the Secretary of the Commissioners of the Sinking Fund, and the State Treasurer is hereby authorized and directed to pay the same. The Commissioners of the Sinking Fund shall use the funds so received for the payment of any or all of said State Deficit Notes which may be presented for payment prior to or at maturity of said notes, or, in their discretion, for the purchase of said notes, or any part of them, at such price as may appear to the Commissioners of the Sinking Fund to be advantageous to the State. *Provided*, That all income collected and to be collected for the retirement of said Deficit Notes shall be placed to the credit of the General Fund of the State until the General Fund shall have been fully reimbursed for the funds herein transferred to the Commissioners of the Sinking Fund.

§ 90. The Treasurer of any State Institution which is required by law to take collateral for the protection of its bank deposits, is hereby authorized to accept in lieu thereof the guarantee of the Federal Deposit Insurance Corporation which may obtain in the respective Banks.

§ 91. That unless specifically authorized herein the appropriations provided in this Act shall lapse on August 31st, 1938. *Provided, However*, That Appropriations for the payment of bonds or interest shall be continuous until such bonds or interest are paid.

§ 92. That in the event that no supply bill is enacted to provide for the county government of any county of the State for the year 1937-38, then, and in that event, the appropriation, terms and conditions contained in the supply bill of such county for the year 1936-37 shall be continued for the year 1937-38.

§ 93. All Acts or parts of Acts inconsistent with this Act are hereby suspended for the fiscal year beginning July 1, 1937, to the extent of such inconsistency.

§ 94. This Act shall take effect immediately upon its approval by the Governor.

Executive Chamber, Columbia, S. C.

*Mr. Speaker and Gentlemen of the House of Representatives:

I herewith respectfully return to your Honorable Body without my signature, House Bill No. 229, Senate Bill No. 280, Act No. 566, entitled:

"To make appropriations to meet the ordinary expenses of the State Government for the fiscal year beginning July 1, 1937, to provide a tax sufficient to defray the same, for borrowing money and regulating the fiscal affairs of the State."

After a careful examination of the Appropriations Bill I find several items I consider either excessive or unnecessary, and others which have not received the full and complete itemization in order to be understandable to the taxpayers. I respectfully veto all sections, items and provisos as are hereinafter specifically set forth, and denounce the method of lump-summing used in many sections of this Appropriations Bill. The affairs of South Carolina deserve to be run on the same sound business principles followed in private enterprises, and the people who are paying the bills should have full information showing how their tax dollars are to be expended.

SECTION FORTY-SIX

South Carolina Unemployment Compensation Commission

For Administration (Employment Service).....\$42,118.44

I disprove of this section, first, for the reason that the amount appropriated is lump-summed and not itemized as to show how the money is to be spent. It is my understanding that none of the \$30,000.00 appropriated to this particular commission last year for employment service has been used. I am further informed that if the \$42,118.44 now requested is appropriated in addition to the unused portion that the \$30,000.00 is to be spent, not for the purpose intended, but for office furnishings.

No benefits are to be paid to the employees in the industries of South Carolina by the Unemployment Compensation Commission until after January 1, 1938. The Unemployment Compensation Commission, therefore, since its creation has been performing only nominal duties. Due to the upward swing in economic conditions it has not been necessary for the Unemployment Compensation Commission to spend the \$30,000.00 appropriated by the General Assembly in 1936 for employment purposes and it is reasonable to conclude that with the advanced prosperity now being enjoyed that there will certainly be no need for the creation of such an office during the year 1937.

Daily the farmers of South Carolina appeal to me to relieve the sentences of individuals confined on the county chain gangs and in the State Penitentiary for the purpose of doing farm work because of the shortage of labor in all lines of endeavor. The Federal Government is still maintaining a National Re-employment Office accessible to our people all over the State of South Caro-

*Words in italics stating disposition of matters vetoed added.—code commissioner.

lina. The Federal Government is rendering free of charge that for which this appropriation of \$42,118.44 is sought.

The elimination of this item from the State Appropriations Bill in no way effects the orderly administration of the Unemployment Compensation Commission, since the salaries of its members are paid by the Federal Government. I cannot too strongly urge your support of this particular veto. (*Sustained.*)

UNDER SECTION FORTY-NINE

Highway Department

Item F.

I disprove of item "F" which reads as follows: "That the Highway Department is hereby authorized to draw vouchers in its own favor for payments or refunds or transfers and the Comptroller General is hereby directed to honor all such vouchers."

No special concessions should be given the Highway Department in respect to the drawing of vouchers for payments or refund or transfers. All other departments of the State are required to submit such matters to the Budget Commission and receive the approval or disapproval of its members. The Highway Department should follow the same procedure all other departments of the State are required to follow in this respect. To allow the Highway Department unlimited authority in regard to transfers and refunds is to put this particular state agency above all the statutory law where finances are concerned. (*Sustained.*)

UNDER SECTION FORTY-NINE

Highway Department

Item G.

I disprove of Item "G" which reads as follows: "The State Highway Department is hereby authorized to employ counsel and attorneys at a cost not exceeding \$10,000.00, the same to be paid from the State Highway Fund."

I veto this item on the grounds that the authority which it seeks to give to the Highway Department in the employment of attorneys should be and is vested in the Office of the Attorney General of the State. (*Sustained.*)

UNDER SECTION FORTY-NINE

Highway Department

Item L.

I disprove of Item "L" which reads as follows: "In order to provide an increase in the compensation of the Members of the State Highway Patrol and the number thereof, the Highway Safety Fund may be supplemented from the State Highway Fund as much as may be necessary."

I veto this item on the grounds that its provisions give unlimited and unnecessary authority to the Highway Department. Last year according to the auditor's report there was spent for the Highway Patrol \$182,497.18, which exceeded the appropriation by \$30,452.95. Think of it, \$182,497.18 spent and still the accidents on our highways increased. It is to be remembered that under the law the only duties required of highway patrolmen are the enforcement of traffic rules and regulations on the highway. For the last three ses-

sions of the General Assembly I have earnestly urged the passage of a measure which would set up in South Carolina a unified State Police System combining the work of the Highway Patrol and the State Constabulary. In my message to the General Assembly in January, 1937, I recommended the creation of the Department of Public Safety combining these two organizations and setting up in connection therewith a State radio network and other accessories which would make for greater efficiency in law enforcement and safety. At the present time, therefore, we are spending \$182,497.18, annually to regulate traffic rules and only \$60,000.00 for the constabulary to aid in the enforcement of all laws of the State.

To give the Highway Department the unlimited authority provided under this section would give it the right and power to increase the number of patrolmen without reservation and the right and power to expend as much as they desired. I do not think any department should be given such unlimited authority in regard to the expenditure of the tax-payers money.

I understand there has been substantial increases in the number of patrolmen since the legislature met in January. I wonder if this section is designed to further fulfill certain promises and pledges already made? (*Sustained.*)

UNDER SECTION FIFTY-FIVE

Commission on State House and Grounds

Item A-1 Salaries.....\$1,350.00

I veto this item on the grounds that a new and unnecessary job is created. If a day watchman is suddenly necessary after all these years and the State House and Grounds Committee will so request, I will commission as State Constable without pay, the guard from the State Penitentiary, who has charge of the prison labor group which daily performs detail duties around the State Capitol. (*Sustained.*)

UNDER SECTION SIXTY-NINE

The Second Proviso

"Provided, further, That the additional travel allowance provided in this Act for State Officers designated in Section 24 of Article 4 of the State Constitution of 1895, whose salaries have been fixed by Statute at less than Five Thousand (\$5,000.00) Dollars per annum, shall be drawn without itemization."

This item is vetoed on the grounds that herein is set up a new and dangerous precedent. It has always been the policy of the State in paying out travel allowances to require a strict itemization of the amount expended for each trip. If certain officers of the State are allowed to submit travel vouchers without itemization, why cannot all officers do likewise? I do not think that special privileges should be allowed in this particular instance. (*Sustained.*)

These vetoes are the result of careful thought and consideration and I am confident that the best interest of the tax-payers of South Carolina can best be served by their sustainment.

Respectfully submitted,

Dated at Columbia, S. C.,
May 17, 1937.

(Signed) OLIN D. JOHNSTON,
Governor.

(635)

No. 384.

AN ACT to Amend an Act Entitled "An Act to Make Appropriations to Meet the Ordinary Expenses of State Government for the Fiscal Year Beginning July 1, 1936, to Provide a Tax Sufficient to Defray the Same, for Borrowing Money, to Repeal Section 2700, Code of Laws, 1932, Relating to the Salaries of County Auditors and Treasurers and Regulating the Fiscal Affairs of the State", Being Act No. 985 of the Acts of 1936, the General Appropriation Act for the Fiscal Year 1936-37, so as to Provide Additional Appropriations for the Year 1936-37.

Section 1. Act 985, 1936 Acts, amended—additional appropriations for 1936-37.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 985 of the Acts of the General Assembly of 1936, being the General Appropriation Act for the fiscal year beginning July 1, 1936, is hereby amended as follows:

Section 2 of said Act is hereby amended by striking out Item 1, The Senate, Item 2, The House of Representative, Item 3, Special Services for Both Houses, Item 4, Engrossing Department, and Item 5, Clerk's Office (Clerk of the House Between Sessions), and inserting in lieu of these items the following:

Item 1. The Senate.

A. Personal Service:

A-1 Salaries:

President	\$ 1,000.00
President Pro Tem	300.00
Senators	18,400.00
Mileage and Stationery	635.20
Clerk (in full for session).....	1,485.00
Assistant Clerk	700.00
General Desk Clerk	425.00
Bill Clerk	425.00
Journal Clerk	525.00
Reading Clerk	700.00
Sergeant-at-Arms	600.00
Clerk, Finance Committee	500.00
Stenographer, Finance Committee ..	425.00
Steno-Clerk, Judiciary Committee.	425.00

Secretary to President	475.00
2 General Committee Clerks @ \$400-.00	800.00
General Committee Stenographer...	425.00
Clerk, Social Security Committee...	400.00
Amendment Clerk	300.00
Doorkeepers (2 @ \$250.00 each) ..	500.00
Pages (3 @ \$200.00 each)	600.00
Chaplain	150.00
Laborers (3 @ \$2.75 per day each) .	330.00
Two (2) attendants at \$200.00....	400.00
Approved Accounts	21,000.00

Total (Item 1) The Senate \$ 51,925.50

Item 2. House of Representatives:

A. Personal Service:

A-1. *Salaries:*

The Speaker	1,000.00
Speaker Pro Tem.....	300.00
Representatives	49,200.00
Mileage and Stationery	1,765.10
Clerk (in full for session).....	1,485.00
Assistant Clerk	700.00
Journal Clerk	525.00
Reading Clerk	700.00
Bill Clerk	500.00
Steno-Clerk, Ways and Means Committee	500.00
Stenographer, Judiciary Committee,	425.00
Clerk, Judiciary Committee	350.00
General Committee Clerk	400.00
General Desk Clerk	500.00
Sergeant-at-Arms	600.00
Secretary to Speaker	450.00
Chaplain	150.00
Pages (5 @ \$200.00 each).....	1,000.00
Doorkeepers (3 @ \$250.00 each)...	750.00
Laborers (3 @ \$2.75 per day each) .	330.00
Keeper of Ways and Means and Judiciary Committee Rooms	290.00

Elevator Operators (2 @ \$250.00 each)	500.00
Approved Accounts	22,000.00

Total (Item 2) House of Representatives	\$ 84,420.10
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Item 3. Special Services for Both Houses:

A. Personal Service:

A-1. *Salaries:*

Clerk on Enrollment of Acts.....\$	500.00
Postmaster	325.00
Assistant Postmaster	325.00
Laborers (3 @ \$2.75 per day each) .	330.00
Telephone Pages (2 @ \$200.00 each)	400.00
Telephone Operators (2) in full for session	300.00
Maids (@\$2.25 per day).....	90.00
Approved Accounts	3,300.00

Total (Item 3) Special Services for Both Houses	\$ 5,570.00
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Item 4. Engrossing Department:

A. Personal Services:

A-1 *Salaries:*

Chief Clerk	800.00
Desk Clerk	400.00
Engrossing Clerks (12)	4,800.00
Porter (1 @ \$2.75 per day).....	110.00

A-3 Special Payments:

Solicitors @ \$10.00 per Legislative day of actual service	8,000.00
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B. Contractual Services:

B-2 Travel, Mileage of Solicitors....	175.00
Approved Accounts	7,800.00

Total (Item 4) Engrossing Department	\$ 22,085.00
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Item 5. Clerk's Office (Clerk of the
House between Sessions)

A. Personal Services:

A-1 *Salaries:*

Clerk of the House.....	2,400.00
Secretary	1,194.00

A-2 *Wages:*

Messenger-Porter	55.00
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B. Contractual Services:

B-3 Telegraph and Telephone.....	100.00
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C. Supplies:

C-4 Office Supplies	125.00
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D. Fixed Charges and Contributions:

D-1 Post Office Box Rent	60.00
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Total (Item 5) Clerk's Office..... \$ 3,934.00

Amend Section 2 further by adding at the end of said Section the following additional provisos: "*Provided, Further, That the Clerk of the Senate shall be paid Two Thousand (\$2,000.00) Dollars which shall be in full for the preparation of the permanent journal and other services between sessions of the General Assembly, the same to be paid from Approved Accounts of the Senate. Provided, Further, That the Sergeant-at-Arms shall be paid from Approved Accounts of the Senate the sum of Five Hundred (\$500.00) Dollars for services rendered between the 1396 and 1937 sessions of the General Assembly. Provided, Further, That there is hereby appropriated the sums of Five Thousand (\$5,000.00) Dollars to provide for installation of toilet facilities, and Two Thousand Five Hundred (\$2,500.00) Dollars for improvement of the lighting system of the Senate Chamber; Contract for the performance of this work shall be let on competitive bids and approved by the President, Clerk and Sergeant-at-Arms of the Senate, and the funds expended therefor shall be upon warrants approved by the Clerk and President of the Senate. Provided, Further, There is hereby created a Special Committee on Improvements in the Hall of the House of Representatives to consist of five (5) members of the House to be appointed by the Speaker of the House and to include the Clerk of the House, the Sergeant-at-Arms of the House and the State Electrician; the said Committee is hereby authorized, empowered and directed to proceed with the installation of all improvements in accordance with the report of the Special Committee on Improvements submitted and*

Adopted April 26, 1937. For the purpose of carrying out the above provision, the sum of Thirty-five Thousand (\$35,000.00) Dollars, if so much be necessary, is hereby appropriated to be expended as directed by the Committee, by vouchers drawn by the Clerk of the House and approved by the Speaker of the House. *Provided, Further,* That there is hereby appropriated the sum of Two Thousand Five Hundred (\$2,500.00) Dollars to defray the necessary expenses of the Investigating Committee appointed pursuant to Joint Resolution, S. 503, H. 178, and that the members of said committee be allowed the same per diem and expense allowance as is provided for other Boards and Commissions of the State. *Provided, Further,* That the Investigating Committee appointed pursuant to the Joint Resolution S. 774, H. 747, be allowed the same per diem and expense allowance as is provided for other Boards and Commissions of the State. *Provided, Further,* That the Chief Clerk of the Engrossing Department shall be paid for five (5) days preceding and for ten (10) days succeeding the 1937 session of the General Assembly for the preparation and closing of the work of the Engrossing Department, the same to be paid from Approved Accounts of the Engrossing Department, at the rate of his base pay. *Provided, Further,* That the Dean of the Engrossing Department shall receive Fifteen (\$15.00) Dollars per Legislative day of actual service.

Amend Section 3, Item 1, A-1, by adding at the end thereof the following: "Supreme Court Messenger\$200.00"

Amend Section 19, by adding at the end of said section the following: "D-3. Other Fixed Charges:

University of South Carolina Account\$366.00"

Amend Section 22 of said Act by striking out the figures "\$910,000.00" and inserting in lieu thereof the figures \$962,000.00", and by adding at the end of said Section the following additional proviso:

"That out of the above appropriation the authorities of the State Hospital are authorized to pay the claim of \$1,991.50 in connection with the death of Raymond I. Dawson, and all expenses in connection with same."

Amend Section 23 of said Act by striking out the figures \$159,000.00" and inserting in lieu thereof the figures \$164,000.00".

Amend Section 25 of said Act by striking out the figures "24,000.00" and inserting in lieu thereof the figures \$24,767.00".

Amend Section 27 of said Act by adding the following additional proviso: "*Provided, Further,* That the Directors of the Penitentiary

are hereby authorized to pay the claim of Josiah Morse for damage to his automobile on or about June 12, 1936, in the sum of \$407.99, the same to be paid from funds already provided for operation of the Penitentiary."

Amend Section 28 of said Act by striking out the figures "\$77,000.00" and inserting in lieu thereof the figures "\$81,200.00".

Amend Section 29 of said Act by adding the following proviso: "*Provided, Further,* That in addition to the above appropriation there is hereby appropriated the sum of Four Thousand Five Hundred (\$4,500.00) Dollars to further supplement Federal Funds for the construction of a new building."

Amend Section 30 of said Act by striking out the figures "\$24,000.00" and inserting in lieu thereof the figures "\$25,500.00".

Amend Section 37, Item 2, of said Act by striking out the figures "\$45,000.00" and inserting in lieu thereof the figures "\$67,000.00".

Amend Section 47 of said Act by adding at the end thereof the following proviso: "*Provided, Further,* That there is hereby appropriated from the general fund of the State the sum of Eighteen Hundred (\$1,800.00) Dollars for the employment of a Special Warden to cooperate with the Federal agents in the protection and propagation of wild life on the National Forest areas in South Carolina. Any balance remaining in this appropriation on June 30, 1937, shall be transferred to and be expendable during the year 1937-1938."

Amend Section 45, Item 4, of said Act by striking out the figures "\$20,000.00" and inserting in lieu thereof the figures "\$25,000.00".

Amend Section 51 of said Act, under the classification B-6, Water, Heat, Light and Power, by striking out the figures "\$3,000.00" and inserting in lieu thereof the figures "\$3,780.00".

Amend Section 55 of said Act, by adding the following items and appropriations:

(a) Claim of J. R. Thompson, for loss of car.....	\$ 175.00
(b) Judgment in case of Mary A. Lewis against Inland Waterways Commission	1,049.80
(c) Claim of R. L. Varn, Treasurer of Beaufort County	30.00
(d) Department of Labor	6,249.36

This appropriation to be in addition to funds heretofore provided for the year 1936-1937. Any balance remaining in this appropriation on June

30, 1937, shall be transferred to and be expendable during the year 1937-1938.

- (e) Mrs. A. H. Hayden, Sr., in connection with claim of A. H. Hayden, deceased 600.00

Amend Section 74 of said Act by adding at the end of said section the following additional provisos: "*Provided, Further, That* pages, doorkeepers, elevator operators, the post master, the assistant post-master, the Chief Clerk of the Engrossing Department and the keeper of the Ways and Means and Judiciary Committee Rooms shall be paid for five (5) days for each week of the entire session. *Provided, Further, That* no employee of the General Assembly shall receive for his or her services during the Legislative session any compensation in addition to the amounts herein provided. *Provided, Further, That* the employees of each House shall be paid for the number of days that the House by which he or she is employed was in session, and the joint employees shall be paid for the number of days on which either House was in session. *Provided, Further, That* the Sergeant-at-Arms shall remain on duty and be paid for the number of days required to supervise the laborers of the General Assembly. *Provided, Further, That* the President of the Senate, the Speaker of the House, and each member of the General Assembly shall be paid the sum of Three Hundred (\$300.00) Dollars each as official expenses for the 1937 session of the General Assembly, and a sufficient amount for the payment thereof is hereby appropriated.

Amend said Act further by adding a new section, to be designated as Section 84-A and to read as follows:

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 3. This Act to take effect upon its approval by the Governor.

Executive Chamber

Columbia, S. C., May 20, 1937.

Mr. President, and Gentlemen of the Senate:

I herewith return to your Honorable Body without my signature Senate Bill No. 741, House Bill No. 1055, Act No. 635, entitled:

"To Amend an Act Entitled 'An Act to Make Appropriations to Meet the Ordinary Expenses of State Government for the Fiscal Year Beginning July 1, 1936, to Provide a Tax Sufficient to Defray the Same, for Borrowing Money, to Repeal Section 2700, Code of Laws, 1932, Relating to the Salaries of County Auditors and Treasurers and Regulating the Fiscal Affairs of the State,' Being Act No. 985 of the Acts of 1936, the General Appropriation Act for the

Fiscal Year 1936-1937, so as to Provide Additional Appropriations for the Year 1936-37."

After careful consideration of the various items included in this measure, I have disapproved of the following section:

Section 84-A: "Permission is hereby granted to the Sumter-Buick Company of Sumter, South Carolina, and H. S. Quarles of Edgefield, South Carolina, to bring suit against the State of South Carolina in connection with their claims against the State in the respective amount of fifty-four and 60/100 (\$54.60) Dollars and Three Hundred Twenty-five (\$325.00) Dollars."

I disapprove of this section because the language of the section grants to certain parties the right to sue the State of South Carolina and therefore conflicts with Article # 3, Section # 34, of the Constitution of 1895 which prohibits special legislation. (*Sustained.*)

Hereto is attached for your information a ruling of Attorney General John M. Daniel, relative to the matter.

Respectfully submitted,

OLIN D. JOHNSTON,
Governor.

STATE OF SOUTH CAROLINA
Office of the Attorney General

Columbia, May 20, 1937.

Hon. Olin D. Johnston, Governor
State House
Columbia, S. C.

Dear Governor Johnston:

Replying to your letter of May 20th, reading as follows:

"I respectfully request your opinion as to whether or not Section 84-A of the Deficiency Appropriations Bill conflicts with that section of the State Constitution which bars special legislation."

I beg to advise that it is the opinion of this office that the language of Section 84-A which grants to certain parties the right to sue the State of South Carolina does conflict with Article 3, Section 34 of the Constitution of 1895 which prohibits special legislation. It was decided by our State Supreme Court in the case of *Sirrine vs. State*, 132 S. C., page 241, which is the leading case on this subject, that an Act granting permission to special party or parties to sue the State is special legislation and in violation of the Constitution.

Yours very truly,

(s) JOHN M. DANIEL,
Attorney General.

Mr. President and Members of the Senate:

I approve of all sections of Senate Bill No. 741, House Bill No. 1055, Act No. 635 except Section 84-A which was vetoed.

Respectfully submitted

Dated at Columbia, S. C.,
May 20, 1937.

OLIN D. JOHNSTON,
Governor.

(10)

No. 385.

AN ACT to Provide for the Levy of Taxes for School and County Purposes, for the Fiscal Year Beginning January 1, 1937, for Abbeville County and Direct the Expenditure Thereof, and Otherwise Relating to the Fiscal Affairs of Abbeville County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the Auditor of Abbeville County be and is hereby authorized to levy a sufficient millage on taxable property of Abbeville County to meet the appropriation herein made, for the fiscal year beginning January 1, 1937.

Item A. Salaries:

Auditor	\$ 720.00
Clerk to Auditor	600.00
Treasurer	720.00
Clerk to Treasurer	600.00
Sheriff	2,200.00
Deputy Sheriff (2)	2,880.00
Supervisor	2,000.00
Clerk to Board	900.00
County Commissioners (2)	360.00
Superintendent of Education ...	1,350.00
Traveling Expenses, Superin- tendent of Education	150.00
Board of Education	42.00
Clerk of Court	2,200.00
Assistant to Clerk of Court	600.00
Judge of Probate	2,200.00
Clerk to Judge of Probate	600.00
Clerk to Judge of Probate shall also serve without any addi- tional compensation as Clerk of American Legion.	
Stamps, Stationery, Service Of- ficer of American Legion and Contingent Fund	180.00
Coroner	180.00
Attorney	180.00
Physician	180.00

Board of Equalization	600.00
Vital Statistics	200.00

Total \$ 19,642.00

Item B Court Expenses:

Jurors and Witnesses	2,500.00
Magistrates Courts:	
Abbeville	600.00
Donalds	125.00
Due West	125.00
Calhoun Falls	175.00
Lowndesville	125.00
Diamond Hill	125.00
Constables:	
Donalds	125.00
Calhoun Falls	175.00
Due West	125.00
Lowndesville	125.00
Diamond Hill	125.00

Lunacy, Post Mortems and Inquests	600.00
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Sheriff to serve civil and criminal papers, Magistrates, Abbeville.

In the event that the Coroner of Abbeville County is sick or otherwise disqualified, the Magistrates of Abbeville County are to hold post mortems and inquests without any compensation.

Total \$ 5,050.00

Item C. Public Offices:

Printing, Postage and Stationery.	500.00
Telephone and Telegraph, Court House	200.00
County Health Unit	1,000.00

To pay therefrom the sum of
\$60.00 a month to the Clerk of
County Health Unit.

Premiums on Bonds of County Officers	658.50
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Total	\$ 2,358.50
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Item D. Public Buildings:

Janitor Service	240.00
Water, Heat, Light, Supplies for Janitor	750.00
Insurance	475.00

Total	\$ 1,465.00
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Item E. Specials:

Battery F.	200.00
Abbeville Hospital	3,600.00
Payable to Abbeville Hospital \$300.00 at the end of each month beginning January 1, 1937.	

Automobile for Sheriff	590.00
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To be paid to Abbeville Motor
Car Company

WPA Sewing Room, Mrs. J. T. Clinkscales, Supervisor	150.00
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Auditing of Books of Abbeville County, if so much be neces- sary	500.00
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Contingent Fund	5,000.00
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Rent to be paid City of Abbe- ville for WPA Offices, Thomp- son House and County Health Office, Municipal Building ...	300.00
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Payable \$25.00 at the end of
each month beginning Jan-
uary 1, 1937.

To pay for Truck, Circulating Library, Abbeville County ..	750.00
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To pay for Stenographic help for
Seed Loan Office \$150.00

Total \$ 11,240.00

Item F. Past Due Accounts:

To pay balance due approved Ac-
counts Supervisor's Office, 1936,
as per list of copy on file in
Supervisor's Office and with
County Delegation 6,345.56

Total 6,345.56

Item G. Sheriff's Expenses:

Jail Expenses, including dieting
of prisoners 700.00
To pay repairs to Jail 287.50
To pay repairs to Court House.. 50.00
Light and Water 150.00
Fuel 100.00
Repairs to automobile; gas and oil 600.00
Payable one-twelfth at the end of
each month, beginning January
1, 1937

Total 1,887.50

Provided: That claims for oil and
gasoline be paid monthly and be-
fore said claims shall be paid
as valid claims against the
County, the Sheriff must take
oath that the oil and gasoline
consumed was used only in the
enforcement of the criminal law.

Provided: That Jailor shall diet
all prisoners in his care at forty
(40¢) cents per day for each
prisoner. All accounts for the
dieting of prisoners shall be
presented, duly attested, to the

Board of Commissioners and
by them audited and allowed or
rejected.

Item H. County Home and Farm:

Maintenance of County Home, County Farm and Funeral Ex- penses	1,000.00
To pay for the erection of stock- ade at the County Farm	1,000.00
County Board of Public Welfare	266.00
Total	\$ 2,266.00

Item I. Roads and Bridges:

Maintenance of roads and Bridges:	20,000.00
To pay Jeff Hunt Road Ma- chinery Company for one (1) auto patrol and grader	4,400.00
To construct Fair's Bridge over Little River—road—Abbeville to Level Land	8,000.00
Total	32,400.00

Item J. Interest, Etc.

Interest on County Indebtedness.	1,200.00
Total	1,200.00

Item K. Education:

Educational	700.00
To be paid on or before the 1st of May, 1937, for the purpose of paying tuition of High School Students attending High School from without the District. <i>Pro- vided, However,</i> That the pay- ment of such tuition is not pro-	

vided for by the General State
Law

Total	700.00
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Grand Total	\$ 84,554.56
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Less Estimated Revenue Other
Than Taxes:

Commutation Road Tax	2,000.00
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Abbeville County Land Commis- sion	750.00
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State Insurance Commissioner ..	1,200.00
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Magistrates	1,300.00
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Clerk of Court	700.00
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Supervisor	500.00
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Gas Tax	15,000.00
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Liquor and Beer Tax	3,500.00
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Fees—County Officers	15,000.00
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Total	\$ 39,950.00
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Total to be raised by taxation ...	\$ 44,604.56
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§ 2. That the County Commissioners shall have equal authority in county matters with the Supervisor: *Provided*, That the statement of the affairs of the County shall be posted on the bulletin board in front of the Court House and published in the newspaper as now provided by law; that unless the Supervisor published the statement it shall be unlawful for the County Treasurer to pay the salary of the Supervisor: *Provided*, That the County Treasurer shall pay all county officers monthly instead of quarterly: *Provided, Further*, That in the maintenance of County roads the Supervisor is hereby authorized to expend not more than one-fourth of the appropriation during each quarter of the year.

§ 3. That the County Superintendent of Education on the 15th day of each month shall file with the various school districts in the county a statement showing the amount of monies on hand to the credit of the respective school districts, and the County Treasurer shall file with the Supervisor on the 15th day of each month a statement showing the amount in hand to the credit of the county, and it shall be unlawful for the County Board of Commissioners

to issue salary vouchers to County Treasurer and County Superintendent of Education unless this provision is carried out as herein provided.

§ 4. That the proceeds of the one cent gallon tax on gasoline to this county to be used by the County Board of Commissioners in working the cross country roads and also maintaining the top-soil roads which are not in the State System.

§ 5. That the money appropriated above as a contingent fund is to be used as an emergency expense fund and to be used and paid out at the direction of the Abbeville County Delegation, or a majority thereof.

§ 6. That the various items herein appropriated for the purposes herein specified shall be used exclusively as provided for in this Act, and any transfers of funds from one item to another is hereby specifically prohibited, and any officer who violates this provision shall be deemed and considered guilty of malfeasance in office: *Provided*, That transfers of any of the said items may be made by the written consent of the Abbeville County Delegation, or a majority thereof, and upon such transfers being made said sum shall be expended only for the purposes designated by such transfers.

§ 7. If, owing to the non-payment of taxes caused by the extension of time for payment of taxes, or otherwise, there shall not be sufficient funds available for the full payment of the notes executed by the County Board to secure the loans for the year 1936, then in that case the County Board is authorized to renew such note or notes for any balance or balances which may be due and unpaid and for such time as funds may become available for the payment of same.

§ 8. That any unexpended balance in any department at the end of the year 1936 with all delinquent taxes, other than school taxes, which shall be collected in 1937, shall be placed in the contingent fund; that the Legislative Delegation or a majority thereof, shall direct that this fund be used for county purposes and if it is found that the tax levy can be reduced, the Delegation, or a majority thereof, shall instruct the Auditor to reduce same.

§ 9. The Supervisor of Abbeville County is hereby forbidden to open any new road or roads in Abbeville County unless such road or roads are approved by a majority of the Abbeville County Delegation.

§ 10. That the Salary of the Superintendent of the County Farm shall not be supplemented by additional remuneration such as groceries and supplies for himself and family.

§ 11. That the Abbeville County Delegation, or a majority thereof, may, at any time, order the discontinuance and storage of any motor car or other equipment owned now, or hereafter to be owned, by Abbeville County.

§ 12. The County Delegation or a majority thereof, is hereby authorized and empowered to secure the services of a certified public Accountant to make an audit of the County Books for the year 1937, under the direction of the Comptroller General of South Carolina.

§ 13. That the County Supervisor and the County Board of Commissioners of Abbeville County are hereby forbidden to purchase any trucks, tractors, scrapes, or iron bridges without first obtaining the written consent of the County Delegation, or a majority thereof, and any purchase without the written consent of the County Delegation or a majority thereof shall be null and void.

§ 14. That the Supervisor and the County Board of Commissioners are to employ an Attorney and County Physician.

§ 15. That the salaries fixed herein for the Clerk of Court of Common Pleas and General Sessions and Register of Mesne Conveyances, Sheriff, County Treasurer, Judge of Probate and County Auditor, shall be in full of their compensation and all fees to be collected as provided by law for items placed in their hands, on and after January 1, 1937, shall be turned over to the County Treasurer as provided by Act No 7 of the Acts of 1935 and Act No 655 of the Acts of 1936. The aforesaid officers may elect to retain all fees on items placed in their hands prior to January 1, 1937.

§ 16. Since the Judge of Probate and County Treasurer's term of office does not expire until the year 1939, they may elect as to whether or not they are to come under the salaries herein provided in lieu of fees that they are now receiving, and in the event that the Judge of Probate should elect, during the remainder of the term of his office, to retain the fees in lieu of his salary herein provided, in that event he is to be paid only the sum of One Hundred and Eighty (\$180.00) Dollars instead of Two Thousand Two Hundred (\$2,200.00) Dollars herein set forth, and in the event that the County Treasurer elects to retain the fees that he is now receiving during

the remainder of the term of his office, in that event he is to receive the sum of Seven Hundred and Twenty (\$720.00) Dollars herein set forth. The Auditor, whose term of office does not expire until the year 1939, has written the Delegation stating that it will meet with his approval to be placed upon a salary basis and to receive the salary herein stated.

§ 17. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 18. This Act shall take effect upon its approval by the Governor.

Approved the 27th day of January, 1937.

(327)

No. 386.

AN ACT to Provide for the Holding of An Election in Abbeville County, South Carolina, on the Question of Issuing Not Exceeding Fifty Thousand (\$50,000.00) Dollars in Coupon Bonds for the Building of a County Jail; for the Issuance and Sale of Said Bonds; for the Expenditure of the Proceeds of Sale; for the Payment of the Principal and Interest of Said Bonds; to Provide for a Jail Commission, and to Define its Powers and Duties.

Section 1. Election on issuing bonds for jail, Abbeville County.—Be it enacted by the General Assembly of the State of South Carolina: That an election shall be held in the County at Abbeville, South Carolina, at the legal voting precincts in said County, on the 28th day of June, 1937, upon the question of issuing coupon bonds of the said county in the amount of not exceeding Fifty Thousand (\$50,000.00) Dollars, for the erection and equipment of a County jail. The Commissioners of election for State and county officers for Abbeville county shall appoint the managers of said election, receive and tabulate the returns and declare the result, as in other election; they shall report the result of said election in writing in duplicate, one copy of which shall be filed in the office of the Clerk of Court for Abbeville County and recorded by him, and the other copy shall be filed with the Secretary of State, and the said duplicate report shall be kept on perpetual record in said office. Notice of said election shall be published by said Commissioners of Election in one or more newspapers published in said county once in each of three successive weeks preceding said elec-

tion. Said election shall be held and conducted under the laws governing the holding of general elections in this State, and all registered electors of said county shall be entitled to vote thereat, and the books of registration shall be furnished the managers as in other elections. The managers of said election shall receive one dollar each as compensation for their services.

§ 2. Election—ballots—validity.—The Board of County Commissioners shall furnish a sufficient number of ballots for use at said elections. The qualified electors voting in favor of the issuing of said bonds shall cast a ballot with the following words plainly written or printed thereon; "Bond issue for jail, yes." Those opposed to the issuing of said bonds shall cast a ballot with the following words plainly written or printed thereon: "Bond issue for jail—No."

The validity of said election and the correctness of the declaration of the result thereof shall not be open to question in any Court, except in an action or proceeding instituted within thirty days after the declaration of the result.

§ 3. Sell bonds if election favorable.—If a majority of the ballots cast in said election shall be for the issuing of said bonds, the Commissioners hereinafter provided for, to be known as the Jail Commissioners of Abbeville County, shall advertise for sealed bids on said bonds and shall sell the same in such lots and at such times as said Commissioners may deem best and advisable: *Provided*, That all bonds shall be dated either January 1st, or July 1st, and the Jail Commissioners shall have the right to reject any and all bids and readvertise for bids, if they deem such a course advisable. That said bonds shall not be sold for less than par, nor bear interest at a greater rate than five (5%) percent, payable semi-annually.

§ 4. Bonds.—The said bonds shall be known as Jail Bonds; shall be of the denomination of One Thousand (\$1,000.00) Dollars each, and shall be serial bonds, maturing in series or installments of Three Thousand (\$3,000.00) Dollars each year, the first of which shall be due and payable not more than two years after the date of the bonds. They may be made payable within or without the State of South Carolina and in such medium of payment as may be indicated on the face of the bonds. They shall be issued as coupon bonds, payable to bearer, but may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer and the principal thus made payable to the registered

holder (or to bearer, if the last registered transfer be to bearer) upon such conditions as the said Jail Commission may prescribe. Bonds shall be signed by the Chairman and Secretary of the said Jail Commission and the seal of the county of Abbeville shall be impressed thereon or affixed thereto. The coupons to be attached to said bonds, however, shall be authenticated by a printed, etched, lithographed or engraved facsimile signature or signatures of one or both of said officers. The delivery of bonds so executed shall be valid, notwithstanding any change in officers or seal occurring before the delivery. The bonds shall be issued and their form and tenor determined by or under the direction of the said Jail Commission, a majority of the members of which shall constitute a quorum. The bonds shall be exempt from all State, County, school and municipal taxes.

§ 5. Levy tax pay bonds.—Until the principal and interest of all bonds issued under this Act shall be fully paid it shall be the duty of the County Auditor to assess and levy annually on all taxable property of said county, a tax sufficient to pay the principal and interest of said bonds as such principal and interest fall due, which tax shall be annually collected by the County Treasurer and applied to said purpose by or under the direction of the County Treasurer.

§ 6. Pledge pay bonds.—The full faith, credit and resource of the County of Abbeville shall be deemed to be pledged for the prompt payment of the principal and interest of said bonds, whether the bonds so state or not.

§ 7. Deposit and disbursement of funds from bonds.—The fund arising from the sale of said bonds shall be deposited to the credit of the Treasurer of Abbeville County in a separate fund, to be known as the Jail Fund, in the several banks of Abbeville County, according to and in the proportion of the combined capital stock and surplus of each bank, as nearly as may be practicable, at a rate of interest satisfactory to the Jail Commission, from the date of the deposit until the said deposit is withdrawn. Said fund shall be paid out by the Treasurer upon the warrant of the Chairman of said Jail Commission, and at least two other members of said Commission.

§ 8. Jail commission.—The Jail Commission of Abbeville County shall be composed of five members, citizens of Abbeville County, viz: C. F. Gilliam, S. F. Sherard, Dr. W. L. Pressly, W.

B. Tribble and J. S. Cochran, from among whom shall be selected by the said Jail Commission a Chairman and Secretary. Should a vacancy occur in said Commission, it shall be filled by the Governor, upon the recommendation of a majority of the Delegation from said County in the General Assembly. The members of the said Commission shall receive no compensation except their actual expenses while engaged in their duties as Commissioners, and each shall hold office for two years, at which time the office shall expire and determine.

§ 9. Let contracts for work—architect—clerk—attorney.—The Jail Commission shall let all of the work, including material necessary for the building of the Jail, by contract. The contracts shall be let to the lowest responsible bidder, and shall not be on a "Cost plus basis". The Commission shall have the right to employ an Architect, A Clerk and an Attorney, and pay such reasonable compensation for their work as to them is proper.

§ 10. Books—reports.—That said Commission shall keep books, which shall be open for public inspection at all reasonable times. They shall also present to the February, June and September term of Court of General Sessions of Abbeville county an itemized statement of all funds received and disbursed by them, which report shall be a part of the record of said Court. At the expiration of the life of said Commission, all its contracts, papers and books of account shall be turned over to the Clerk of Court of said county and filed in his office.

§ 11. Expenses of election.—The expenses of conducting the election on the issuance of said bonds shall be paid out of the current funds of Abbeville County, upon the warrant of the Supervisor and Board of County Commissioners.

§ 12. Members of jail commission not contract furnish labor and material or employ relatives.—No member of said Jail Commission shall take a contract to furnish labor or material for the public improvements authorized under this Act, nor shall the Commission employ in any capacity any person related by blood or marriage to any member of said Commission within the sixth degree.

§ 13. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 14. This Act shall take effect upon its approval by the Governor.

Approved the 16th day of April, 1937.

(561)

No. 387.

AN ACT to Authorize Sharon School District No. 20, Abbeville County, South Carolina, to Borrow an Amount Not Exceeding One Thousand (\$1,000.00) Dollars, for the Purpose of Purchasing a Lot and Erecting a Dwelling Thereon for Its Superintendent, and to Provide for the Payment of Same.

Section 1. Sharon School District No. 20 borrow purchase lot and erect building, Abbeville County.—Be it enacted by the General Assembly of the State of South Carolina: That Sharon School District No. 20, in Abbeville County, South Carolina, is hereby authorized to borrow not exceeding One Thousand (\$1,000.00) Dollars, for the purpose of purchasing a lot and erecting a dwelling thereon for its School Superintendent.

§ 2. Issue notes.—The Trustees of said District and the Treasurer of Abbeville County are authorized to issue their note or notes for said School District for the amount herein authorized to be borrowed. The said note or notes shall be for such amount and for such period of time as the said Trustees and Treasurer may determine, not exceeding three years from date, at a rate of interest not exceeding six (6%) per cent per annum.

§ 3. Payment.—That in order to provide for the payment of the note or notes herein authorized to be issued and interest thereon, the County Auditor shall levy annually two (2) mills on all the property of said District, to be collected as other taxes are collected, and the proceeds to be applied annually to the retirement of this loan, and should the two (2) mills levy herein authorized be insufficient to pay annually one-third of the amount of the loan, together with interest thereon, then the County Auditor is authorized to increase the levy to the amount necessary to raise annually one-third of amount of said loan, with interest. That in the event a sufficient amount is collected at any time to retire all of the said note or notes against said School District under the two (2) mill levy herein authorized, the Trustees and Treasurer shall immediately call all of said notes to be retired.

§ 4. Notes tax exempt.—The note or notes issued under provisions of this Act, shall be exempt from all State and County Taxes.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(88)

No. 388.

AN ACT to Authorize and Empower the City of Abbeville, Abbeville, South Carolina, to Issue Twenty-five Thousand (\$25,000.00) Dollars City of Abbeville Bonds, the Proceeds Thereof to be Used for the Purpose of Purchasing a Site and Improving and Erecting Buildings Thereon to be Used as a Manufacturing Plant Under the Terms of an Agreement Entered Into Between City of Abbeville and Shepard Saltzman, and to Provide for an Election on Said Issuance, and the Levy and Collection of Taxes for the Payment of Said Bonds.

Whereas, Shepard Shaltzman has agreed with the City of Abbeville, through himself or a corporation now existing or to be created for that purpose, to establish, operate and maintain a manufacturing plant in the City of Abbeville, Abbeville County, South Carolina, provided the said City will contribute to the cost thereof under the terms, conditions and stipuations set forth in the agreement entered into between City of Abbeville and said Shepard Saltzman, a part of which requires the City of Abbeville to furnish the site and contribute to the cost of the improvement and erection of a factory building thereon; and

Whereas, The cost of such site, and the contribution of the City of Abbeville to the costs of the improvement and erection of factory building thereon will be Twenty-five Thousand (\$25,000.) Dollars; and

Whereas, The establishment of said factory in said City, the increase therefrom of population, pay roll, consumption of water and lights, the plants of which are owned by the City, will largely benefit said City, and the inhabitants and tax payers therein, and will constitute a corporate purpose of said City: *Now Therefore*:

Section 1. Acquiring of land and improvement thereof by city of Abbeville as agreed with Shepard Saltzman for corporate purpose.—Be it enacted by the General Assembly of the State of South Carolina: The acquiring by the City of Abbeville of land and the improvement of and erection of building or buildings thereon for the purposes set forth in the preamble hereof is hereby declared to be for a corporate purpose or purposes of said City of Abbeville.

§ 2. City of Abbeville issue bonds if authorized by election to pay for land and improvements.—For the purpose of paying for the land acquired, or to be acquired by the City of Abbeville, and for

the contribution of City of Abbeville to the cost of the erection and improvement of building or buildings thereon, the City of Abbeville is hereby authorized and empowered to issue its negotiable coupon bonds in the amount of Twenty-five Thousand (\$25,000.00) Dollars, to be in such denominations, bear such rate or rates of interest, payable annually or semi-annually at such place, and mature in such serial installments as may be fixed by City Council of Abbeville in the Ordinance providing for the issuance of said bonds, provided, however, that no bonds shall be issued except upon an election held in said City on a Petition asking for the calling of the same, signed by a majority of the freeholders of said City, as appears by its tax books.

§ 3. Election.—Said Election shall be called and held as is provided by law for the holding of elections on the question of the issuance of bonds by municipalities in this State.

§ 4. Ballots for election.—The ballots used in said election shall have printed or written thereon the words, "For Bonds"—"Yes" "No", and those voting in favor of said Bonds shall strike out the word, "No", and those voting against said bonds shall strike out the word, "Yes", provided if any other form of ballots shall be determined by City Council to be used it shall not affect the validity of said election, provided the ballots used shall give the voter an opportunity of voting for or against the issue.

§ 5. Bonds—execution.—The bonds shall be signed by the Mayor and City Clerk and Treasurer, under the corporate seal of the City, but the facsimile signature of the City Clerk and Treasurer lithographed or engraved on the interest coupons shall be a sufficient signing of the same.

§ 6. Bonds—payment.—As long as any of said bonds or interest shall be outstanding and unpaid there shall be levied and collected annually on all taxable property in said City of Abbeville an advalorem tax, without limit, sufficient to pay the principal and interest of said bonds as they respectively mature and to create a sinking fund sufficient to pay the principal of and interest on said bonds.

§ 7. Bonds—sale.—Said bonds may be sold at public or private sale in the discretion of City Council of the City of Abbeville.

§ 8. This Act shall take effect immediately upon its approval by the Governor.

Approved the 24th day of February, 1937.

(29)

No. 389.

AN ACT to Validate Loan of Seven Hundred (\$700.00) Dollars Made to Lowndesville School District No. 3 Abbeville County, by the Sinking Fund Commission of South Carolina and to Fix a Tax Levy to Provide for the Payment Thereof.

Section 1. Loan to Lowndesville School District No. 3, Abbeville County, validated.—Be it enacted by the General Assembly of the State of South Carolina: That a loan of Seven Hundred (\$700.00) Dollars made to Lowndesville School District No. 3, Abbeville County, by the Sinking Fund Commission of South Carolina, on note executed by the County Treasurer and Members of the Board of Trustees of the said School District, bearing date of September 29, 1936, be, and the same is hereby, validated and declared to be legal in all respects as an obligation of the said Lowndesville School District No. 3, Abbeville County.

§ 2. Payment.—That in order to provide for the payment of the said note there is hereby levied a special tax upon all of the taxable property of the said Lowndesville School District No. 3, of Abbeville County, sufficient to retire the loan plus interest at six (6%) per cent within a period of five (5) years. The entire proceeds of this special tax shall be paid over annually to the Sinking Fund Commission by the County Treasurer to be applied on the principal and interest of the note given to secure the loan until the said loan is paid in full, at which time the tax shall no longer be levied. It shall be the duty of the Auditor of Abbeville County to levy the said special tax and the duty of the County Treasurer of said County to collect the tax so levied as other taxes are collected by law.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5 th day of February, 1937.

(651)

No. 390.

AN ACT to Provide for the Levy of Taxes for Ordinary County and School Purposes for Aiken County for the Fiscal Year Beginning January 1, 1937, and for the Amounts and Purposes Herein Set Forth or so Much as May be Necessary, and for the Expenditure Thereof, and to Provide for the Borrow-

ing of Money and the Repayment of Same and for Certain Tax Abatements, and to Fix the Fees of the Clerk of Court for Recording Crop and Chattel Mortgages Creating Liens Under Acts of Congress or Executive Proclamations.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of eight (8) mills is hereby levied upon all of the taxable property of Aiken County for ordinary and school purposes for the year 1937, for the amounts and purposes herein set forth.

Item 1. County Commissioner's Office:

Roads and Bridges, inclusive of County, Shop, miscellaneous office supplies exclusive of road and gasoline tax	\$ 30,000.00
Salaries of Commissioners	3,600.00
Salary of Clerk	1,800.00
Road Machinery	15,000.00

Provided, That each commissioner shall receive the sum of \$100.00 per month inclusive of salary and travel, all such salaries and expenses to be paid out of the aforesaid sum

Total Item 1.	50,400.00
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Item 2: Clerk of Court's Office:

Salary of Clerk	1,200.00
Supplies	1,500.00

Total Item 2.	2,700.00
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Item 3: Sheriff's Office:

Salary of Sheriff	1,800.00
Expenses of Sheriff	400.00
Salaries three (3) deputies \$1,-740.00 each	5,220.00
Expenses of three deputies \$660.00 each	1,980.00
Clerk to Sheriff	1,500.00

Sheriff's Miscellaneous Contingent, including lodging and transportation charges beyond the State incurred in going for and returning prisoners, up to and not in excess of five cents per mile, to be paid out on vouchers showing actual expense 400.00

Jail expenses, dieting prisoners at forty cents per day (if so much be necessary) 5,000.00

Provided, That if the Jailer request it and the Commissioners be satisfied there is no suitable help among the prisoners, a salary of \$15.00 per month is authorized to employ a house-cleaning helper for the Court House, office buildings, and Jail; *Provided Further*, If no suitable cook is available, \$4.00 per week is authorized to employ a cook.

Total Item 3. 16,300.00

Item 4. County Treasurer's Office:

Salary of County Treasurer 935.00
Chief Clerk to Treasurer 1,800.00
Assistant Clerk hire to Treasurer 600.00
Contingent Office Expenses 420.00

Total Item 4. 3,755.00

Provided, However, Should the State increase the salary of the Treasurer of Aiken County during the year 1937, the aforesaid salary of the Treasurer shall be increased in the same per centum as the State's increase. *Provided* the Treasurer of Aiken County is authorized

to make such arrangements as he sees fit with the S. P. C. A. with reference to dog tax; and he may accept such proof as he sees fit in lieu of certificates of inoculation.

Item 5: County Auditor's Office:

Salary of Auditor	935.00
Clerk to Auditor	1,800.00
Assistant Clerk hire to Auditor..	600.00
Miscellaneous Contingent Fund ..	420.00

Total Item 5.	3,755.00
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Provided, However, Should the State increase the salary of the Auditor during the year 1937, the aforesaid amount as the county's part of the salary to the Auditor shall be increased in the same per centum.

Item 6. County Superintendent of Education:

Salary of Superintendent	2,100.00
Travel expense of Superintendent	600.00
Office Expenses	300.00

Total Item 6.	3,000.00
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Provided, the Superintendent of Education with the majority of the delegation may adopt such plan as to him may seem feasible to furnish free textbooks to the children of Aiken County.

Item 7. County Farm Agent:

Stenographer	500.00
Rent	150.00
4-H Clubs (Girls and Boys) ..	100.00

Contingent	25.00	
Traveling Expenses	200.00	

Total Item 7 975.00

Provided, The Agent may use any unexpended balance of the above items for enlarging any of the amounts of the other aforesaid items, or for clerical help to handle farm loans.

Item 8. County Home Agent:

Stenographer	300.00	
Club Work	100.00	
Contingent	25.00	
Home Agent's Expenses	200.00	

Provided, Agent may use any of the unexpended balance to enlarge any other item mentioned above.

1. Rent 1936 and 1937 Negro Farm Agent	125.00	
2. Salary account Negro Home Agent	360.00	1,110.00

Item 9: County Home for Poor 6,000.00
 Total Item 9. 6,000.00

Item 10: County Health Department:

Salary of Health Officer	2,100.00	
Travel of Health Officer	300.00	

Provided, That the travel expenses aforesaid shall be paid monthly direct to the Health Officer by the County Commissioners in twelve equal monthly installments, without itemizing the same.

Nurse's Salary	1,500.00	
Travel expense	500.00	

Provided, That the said expenses shall be paid monthly in stallments direct to the Nurse along with her salary, without any itemized statement thereof.

Vaccine and other biological products	275.00	
Office expense and part of clerk hire	300.00	
Total Item 10.		\$ 4,975.00
Item 11: Jurors and Witnesses	8,000.00	
Total Item 11.		8,000.00
Item 12: Aiken County Hospital	15,000.00	
Salary of Business Manager—at such salary as the board may deem proper. <i>Provided</i> , should said board need it, three thousand dollars more shall be available to operate said hospital.		
Total Item 12.		15,000.00
Item 13: Public Buildings, including water, fuel, light and insurance	1,500.00	
Total Item 13.		1,500.00
Item 14: Magistrates and Constables	8,500.00	
Total Item 14.		8,500.00

Provided, That all salaries of Magistrates and Cobstables shall be the same as 1936 and if the sum of \$8500.00 is not sufficient, the additional amount to pay the same salaries as 1936 is hereby authorized. *Provided, However*, The Magistrate at Vaocluse shall receive \$15.00 per month and the Constable at said place

shall receive \$10.00 per month; and the Magistrate in District No. 7, Mr. Hutto, shall receive \$18.31 per month, and his constable shall receive \$15.00 per month, said Magistrate and Constable of District No. 7 being required to give special attention to traffic violations; and the North Augusta Magistrate shall receive \$75.00 per month and his Constable shall receive an increase of \$15.00 per month and they shall give special attention to traffic violations; and the Constable at Aiken and Langlely shall receive \$90.00 per month each, the Constable at Aiken because of increased work being put on him by the enlargement of his duties and the latter because of his being required to give special attention to traffic violations on Highway No. 1, *Provided Further*, the Magistrates and Constables shall receive the same fees in cases of violation of the check law as was provided for them in 1936, said provision being reenacted herein.

Item 15: Post Mortems, Inquests and Lunacy	<u>\$900.00</u>	
Total Item 15.		900.00
Item 16: Interest on County Indebtedness.	<u>2,000.00</u>	
Total Item 16.		2,000.00
Item 17: Dental Work	<u>2,400.00</u>	
Total Item 17.		2,400.00

Provided, That the Dentist hereby employed by the County Superintendent of Education, and the sum appropriated under this Item for carrying on the dental work in the schools of Aiken County shall be disbursed upon an itemized statement of expense and salary of said dentist, which salary shall be fixed by said County Superintendent of Education. *Provided, Further*, That said County Dentist shall work under the supervision and direction of the County Superintendent of Education; and each month said dentist shall file with said Superintendent of Education a complete report of all cases handled by him, and of his acts and doings in relation thereto, for the preceding month. *Provided, Further*, The County Dentist shall treat only school children in the public schools of Aiken County, inmates of the County Home and those confined to Aiken County Jail and County Chaingangs.

Item 18: Miscellaneous Items not otherwise provided for:

Rural Carriers, to be expended according to the Acts of 1926..	2,000.00
Vital Statistics	421.00
Premiums on Officers' Bonds ..	1,000.00
Board of Registration and Clerk \$170.00 each	680.00
County Attorney	450.00
County Physician	600.00
Coroner's Salary	600.00

Janitor of Court House	600.00
Master's Office Supplies	50.00
Probate Judge's Office Supplies..	200.00
Extra Compensation for the Clerk to the County Commissioners on account of P.W.A. Projects for 1937, (whether finished before the end of the year or not) ..	300.00
County Board of Equalization (to include additional expense and clerk hire of Auditor and Treas- urer)	1,000.00
Road Officer	1,800.00
<i>Provided</i> the road officer shall be furnished with fuel and repairs for his car.	
Rent of property for C.C. Camp, payable to William Turnbull on approval of R. G. Tarrant\$	100.00
For stenographic services for in- quests on the approval of the solicitor , if so much be neces- sary (including stationery) ..	75.00
Crop Loan Officer for Clerk hire	1,000.00
Stationery and Stationery ac- count heretofore contracted by the Stenographer of the Sec- ond Circuit, bills to be approved by him	50.00
Aiken County Forest Protective Association, to be paid out up- on claims itemized and verified and approved by some officer appointed by it to approve the same, if so much be necessary..	4,000.00
Office Rent, lights and telephone for Master's office	180.00
Adult School Work	2,000.00
<i>Provided</i> , the Superintendent of Adult school work shall receive	

twenty-five dollars as such superintendent and twenty-five dollars as Chairman County Board of Education (per month) in lieu of all other salaries as chairman..\$600.00

W.P. A. Sewing Room	1,000.00
Service Officer	960.00
National Guard Unit	500.00
County Circulating Library	3,000.00

Total Item 18	22,566.00
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1. Any additional cost of the work of township assessors under the Act of 1937 shall be in addition to the provisions made herein for the assessors generally and such additional cost will be determined by the Legislative Delegation in case the service required of the assessors under the new Act shall justify.
2. That the majority of the Legislative Delegation may authorize the printing of the County's financial statement and audit provided for herein. The charges therefor to be fixed by them.
3. Wherever any Board or Governing Body shall deem it necessary to waive any requirement in relation to security or any other matter, such Board or Governing Body shall have the right to do so with the concurrence of a majority of the Delegation.
4. That when the office building is completed any supplies and furnishings necessary therefor shall be paid for by the County Commissioners with the concurrence and approval of a majority of the Delegation.
5. That the Constable appointed or to be appointed by the Governor for the Gloverville vicinity shall receive \$20.00 per month until discontinued by a majority of the Delegation.

6. That the County Commissioners may undertake and prosecute such W. P. A. projects in their respective districts as the majority of the Delegation may authorize.
7. All tax adjustments authorized by the delegation are confirmed.
8. The right to fix the salary of the health officer is lodged in a majority of the Delegation.

Grand Total \$153,836.90.

§ 2. One (1) mill is hereby levied for the use of the County Superintendent of Education to be used in his discretion.

§ 3. The delegation reserves the right to recommend to the County Superintendent of Education, the Auditor and Treasurer a levy for the purpose of extending the terms of weak schools, for the school year 1937-1938, if in the judgment of the Delegation the County is able to do so: and if so recommended the Auditor shall put a levy on and the Treasurer shall collect the same, and said tax so collected shall be expended by the County Superintendent of Education for said purpose in accordance with such rules and regulations as they may make for the expenditure thereof.

§ 3-A. The County Officers are authorized to close on Saturdays at two o'clock P. M.

§ 3-B. The fee that may be charged by the Clerk of Court for Aiken County for the recording, filing, indexing and/or registering any mortgage or other instrument conveying an interest in, or creating a lien on crops growing or to be grown and/or personal property and made to any corporation or agency organized under the Act of Congress known as the Farm Credit Act of 1933, a regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, the Farm Credit Administration, the Secretary of Agriculture of the United States, the United States of America, or any other corporation or agency which lends or rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States, or any department, agency, instrumentality or officer, thereof shall be seventy-five (75¢) cents; *Provided*, That a copy or duplicate of such instrument be furnished to the recording officer. That Aiken County is specifically excepted from the provisions of Section 3635, Section 3636, and Section 3637, Volume 11, Code of Laws of South Carolina, 1932.

§ 4. If the pending Tax Collectors bill does not become law by July 1, 1937, immediately thereafter a complete audit of all county offices of Aiken County shall be made for a period commencing July 1, 1936, and ending June 30, 1937, *Provided, However*, said audit shall include a detailed audit of all tax execution accounts handled by the office of the Sheriff, together with statements showing amount of fees, penalties and mileage collected, amount retained by Sheriff and his deputies and amount paid to County, and all sales and deeds to property sold by Sheriff for delinquent taxes for period beginning July 1, 1928, and ending June 30, 1937, *Provided, Further*, the Comptroller General is authorized to employ such accountants as may be necessary to conduct the said audit, the said accountants to be paid by Aiken County on warrants of the County Board of Commissioners and the County Board of Commissioners is authorized to issue its warrant in payment of said audit. *Provided, Further*, That said audit shall show the approximate number of acres of land and lots delinquent, giving the years and amounts of delinquent taxes for each year, a copy thereof to be given to each member of the delegation and the foreman of the Grand Jury and the Comptroller General, *Provided, Further*, a copy thereof shall be published in a County newspaper, the cost thereof to be provided by the County Commissioners upon such terms as they deem proper.

§ 5. That no disabled war veteran shall be required to pay any license fee to the County of Aiken to carry on business therein; but said disabled veteran shall first, before carrying on such business, satisfy the officer who is to require the license fee that it is his business and that he is disabled.

§ 6. The County Commissioners are authorized to pay any salaries of any officers whose services may be discontinued, such salaries to be paid up to the time of their discontinuance.

§ 6-a. The Commissioners are authorized and directed to pay the County's part of the rent for the warehouse where Government commodities are stored.

§ 7. The County Treasurer and all other officers shall require surety bonds for all deposits in such sums as shall make the said deposit safe, and the premium or premiums therefor, unless otherwise provided in the bid for depository agreement, shall be paid by the County Treasurer from County funds, unless the deposits consist of special funds, in which event premium or premiums shall be charged to that fund.

§ 8. The Treasurer is authorized to transfer any funds in his office that may not be needed for any specific purpose to the Ordinary County Fund.

§ 9. The County Commissioners, after providing for any interest to be paid during 1937, shall pay any money on hand on notes of the County, retaining from funds on hand funds authorized to be expended herein, only enough to provide for the items appropriated, it being the purpose to deduct from this appropriation the amount already spent this year, and pay it on notes, the right to renew notes being given only on certificates of Commissioners that it is necessary after thus taking into account.

§ 10. Any balance brought forward from 1936 and funds received from any source, including County's part of gasoline tax, and not otherwise appropriated, shall be used along with the levy provided for herein to meet the appropriation herein authorized.

§ 11. That any officer or employee who disregards any of the provisions hereof shall be guilty of misconduct in office and subject to removal, in addition to the punishment now provided by law.

§ 12. That no bill or claim shall be paid or approved unless the same shall be itemized, and state fully, under oath, what it is for, giving the kind or quality of the thing or commodity which it represents, in addition to the amount and time furnished.

§ 13. The Treasurer and Auditor are authorized to reduce or increase the levy as in their judgment will be necessary to pay the amounts herein appropriated, after taking into account all other income of the County.

§ 14. That the County Treasurer and County Commissioners of Aiken County, hereafter referred to as Commissioners, or County Commissioners, shall ask for and receive bids from banks (Aiken County banks being given preference) for interest on deposits to the credit of the said County in such bank, or banks, as shall make the best terms for same and for loans desired by said Commissioners; *Provided*, That such bank, or banks, shall give a surety or surety bond in a company or companies approved by said Commissioners, to cover any loss on account of any such deposit, *Provided, Further*, That if the County Commissioners find it impracticable to obtain said surety bonds from any such bank or banks, they may divide the deposits and loans in such shares and in such banks as may offer the best terms and furnish such bond, or bonds, or other valid first lien securities and collateral. A notice shall be inserted in one or

more newspapers published in said County or sent to the Bank of said County for bids on said deposits. And the said County Commissioners shall not borrow at any time more than enough to meet each month or quarter's payroll unless they can get interest on their deposits equal to approximately what other depositors receive from the bank they deposit with; and if the said County Commissioners find it practicable (and satisfactory terms are not otherwise offered them) they may borrow for the fiscal financial year, or any part of it, from any sinking fund under the control of the said Commissioners or the County Treasurer by executing their official note and paying not less than the rate of interest now being earned by such sinking fund; or, they may use any other money subject to their draft until taxes are paid, or other money received.

§ 15. That no money shall be borrowed by the County or interest paid on same for a longer period than the collection of taxes makes it necessary to yield sufficient money to pay the same, and no notes in excess of the sum appropriated, owing or borrowed, as provided by law, shall be made by any officer or employee of Aiken County, not shall any sum appropriated be borrowed until it is necessary to use it, except as provided in the preceding Section.

§ 16. That in case the County Commissioners of Aiken County and the Treasurer of Aiken County shall deem it proper to borrow any money to finance the County's operations, or to pay any money owing by it, or to extend any obligation that Aiken County may owe the County Commissioners are hereby authorized and empowered to issue such notes or other County obligations as a majority of said Commissioners and the Treasurer shall deem proper, making them in such denominations and for such length of time as they may deem proper; and for the lowest rate of interest they may obtain; and they have full power and authority to pledge taxes and to pledge the full taxing power of the County of Aiken for the payment of said obligation; but such obligations are not to exceed any just obligations already incurred and the amount appropriated in this bill.

§ 17. All written authorizations by the present Delegation heretofore or hereafter made when filed with the Clerk of Court are ratified and made part hereof.

§ 18. No alterations of this Act shall be made by any one during the year 1937 not herein expressly provided for.

§ 19. That the sum hereinabove appropriated shall only be used if so much be necessary and, when not otherwise provided, salaries and expenses shall be paid monthly; *Provided*, That expenses shall not be paid except upon sworn, itemized, statements of same, not otherwise provided herein.

§ 20. The County Superintendent of Education is required, if proof is made to him, that any valid obligation rests upon any school district in the County for money borrowed for such school and actually used for school purposes in the district, to call the attention of the trustees to that fact, and if it is not paid in ten days thereafter, he is required to cause the Auditor of the County to put on a sufficient levy in that district to pay said obligations, and the Auditor is required to put said levy on to be collected, the same to be paid out on order of the Superintendent of Education.

§ 21. The Sheriff shall transfer any money on hand unclaimed to the County Treasurer, who shall place same in the Ordinary County Fund, to be used by the County for county purposes, taking his receipt for same, specifying the source thereof, if known, and should the Sheriff ever find it necessary to recall any part thereof, the same shall be refunded.

§ 22. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 23. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(70)

No. 391.

AN ACT to Authorize and Empower Salley School District No. 47 of Aiken County to Issue Not Exceeding Ten Thousand (\$10,000.00) Dollars in Bonds for the Purpose of Building an Auditorium and Providing Additional School Building Facilities in Said District.

Section 1. Salley School District No. 47, Aiken County, issue bonds for buildings.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of School Trustees of Salley School District No. 47 of Aiken County is hereby authorized and empowered to issue not exceeding Ten Thousand (\$10,000.00) Dollars in Serial Coupon Bonds, the proceeds of which are to be

used to build an auditorium and to provide additional school building facilities in said District.

§ 2. Bonds.—That the said bonds shall be serial coupon bonds and shall mature at the discretion of the Board of Trustees of said District and the County Superintendent of Education, and shall bear interest at a rate of not exceeding six (6%) per cent per annum, payable annually. The bonds shall be signed by the Board of School Trustees, except that the signature of the Chairman of the Board lithographed or engraved upon the interest coupons attached to such bonds shall be a sufficient signing of the same. The bonds shall be sold after bids therefor have been advertised for not less than two weeks in one or more newspapers published and circulated in Aiken County, and for such longer time, if desired, as the Board of Trustees may determine. The proceeds of the sale of the bonds shall be deposited with the County Treasurer to the credit of the said District and paid out for the purposes herein stated, upon warrants drawn thereon signed by members of the Board, as now provided by law for the payment of ordinary school claims.

§ 3. Payment.—That for the purpose of paying the principal and interest on the said bonds as the same mature, the Auditor of Aiken County is hereby authorized and directed to levy, and the Treasurer of said County to collect, annually a tax on all of the property in the said school district sufficient to pay the principal installments maturing and the interest becoming due in any such year, and the Treasurer is authorized and directed to apply the proceeds of such tax, as the same is collected annually, to the payment of the said bonds and interest thereon until the same have been fully paid, at which time the said tax shall not longer be levied or collected.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act to take effect upon its approval by the Governor.

Approved the 19th day of February, 1937.

AN ACT to Authorize and Empower Jackson School District No. 52 of Aiken County to Issue Not Exceeding Six Thousand (\$6,000.00) Dollars in Bonds for the Purpose of Building a School House in Said District.

Section 1. Jackson School District No. 52, Aiken County, issue bonds build school house.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of School Trustees of Jackson School District No. 52 of Aiken County is hereby authorized and empowered to issue not exceeding Six Thousand (\$6,000.00) Dollars in serial Coupon Bonds, the proceeds of which are to be used to build a school house in said District.

§ 2. Bonds.—That the said bonds shall be serial coupon bonds and shall mature at the discretion of the Board of Trustees of said District and the County Superintendent of Education, and shall bear interest at a rate of not exceeding six (6%) per cent per annum, payable annually. The Bonds shall be signed by the Board of School Trustees, except that the signature of the Chairman of the Board lithographed or engraved upon the interest coupons attached to such bonds shall be a sufficient signing of the same. The bonds shall be sold after bids therefor have been advertised for not less than two weeks in one or more newspapers published and circulated in Aiken County, and for such longer time, if desired, as the Board of Trustees may determine. The proceeds of the sale of the bonds shall be deposited with the County Treasurer to the credit of the said District and paid out for the purposes herein stated, upon warrants drawn thereon signed by members of the Board, as now provided by law for the payment of ordinary school claims.

§ 3. Payment.—That for the purpose of paying the principal and interest on the said bonds as the same mature, the Auditor of Aiken County is hereby authorized and directed to levy, and the Treasurer of said County to collect, annually a tax on all of the property in the said school district sufficient to pay the principal installments, maturing and the interest, becoming due in any such year, and the Treasurer is authorized and directed to apply the proceeds of such tax, as the same is collected annually, to the payment of the said bonds and interest thereon until the same have been fully paid, at which time the said tax shall not longer be levied or collected.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act to take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(115)

No. 393.

AN ACT to Authorize and Empower North Augusta School District No. 66, of Aiken County to Issue Not Exceeding Twenty-five Thousand (\$25,000.00) Dollars in Bonds for the Purpose of Building, Equipping and Providing Additional School Building Facilities in Said District.

Section 1. North Augusta School District No. 66, Aiken County, issue bonds for buildings.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of School Trustees of North Augusta School District No. 66 of Aiken County is hereby authorized and empowered to issue not exceeding twenty five thousand (\$25,000.00) dollars in serial coupon bonds, the proceeds of which are to be used to construct and equip additional school building facilities in the said district.

§ 2. Bonds.—Said bonds shall be issued in such denominations and shall bear such maturities as said Board of Trustees may determine, not exceeding thirty (30) years from date of issuance, and shall bear interest at a rate not exceeding six (6%) per cent per annum, payable annually. The bonds shall be signed by the Board of School Trustees, except that the signature of the chairman of the board lithographed or engraved upon the interest coupons attached to such bonds shall be a sufficient signing of the same. The bonds shall be sold after bids therefor have been advertised for not less than two weeks in one or more newspapers published and circulated in Aiken County, and for such longer time, if desired, as the board of trustees may determine. The proceeds of the sale of the bonds shall be deposited with the County treasurer to the credit of the said district and paid out for the purposes herein stated, upon warrants drawn thereon signed by the members of the Board, as now provided by law for the payment of ordinary school claims.

§ 3. Payment.—That for the purpose of paying the principal and interest on the said bonds as the same mature, the auditor of Aiken County is hereby authorized and directed to levy, and the treasurer of said county to collect, annually a tax on all of the property in the said school district sufficient to pay the principal installments maturing and the interest becoming due in any such year, and the treasurer is authorized and directed to apply the proceeds of such tax, as the same is collected annually, to the payment of the said

bonds and interest thereon until the same have been fully paid, at which time the said tax shall no longer be levied or collected.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 25th day of February, 1937.

(182)

No. 394.

AN ACT to Authorize Gregg School District No. 22 in Aiken County to Borrow Not Exceeding Ten Thousand (\$10,000.00) Dollars for the Purpose of Constructing and Equipping a School Building at Vaucluse; to Authorize the Execution of Notes Evidencing the Debt Created Thereby, and the Levy of a Tax Sufficient to Pay the Same at Maturity.

Section 1. Gregg School District No. 22, Aiken County, borrow construct and equip school building.—Be it enacted by the General Assembly of the State of South Carolina: The Trustees of Gregg School District No. 22 in Aiken County, with the consent and approval of the Aiken County Board of Education, are authorized and empowered to borrow, for and in the name of said school district, not exceeding the sum of ten thousand (\$10,000.00) dollars for the purpose of constructing and equipping a school building at the town of Vaucluse in said school district, the same to be acquired from either the South Carolina Sinking Fund Commission or any corporation or individual offering to make such loan upon terms most advantageous to said school district.

§ 2. **Issue obligations.**—The sum of money borrowed under authority conferred by the foregoing section, and the debt created thereby, shall be evidenced by the written negotiable notes and obligations of said Gregg school District, duly signed by the trustees thereof, of such form and denomination (the aggregate amount not exceeding ten thousand (\$10,000.00) dollars bearing such date, rate of interest and maturities as may be fixed and agreed upon by said trustees and the lender of said money, and approved by said County Board of Education.

§ 3. **Deposit and disbursement of funds.**—The funds realized from said loan shall be deposited with the treasurer of Aiken County and by him placed to the credit of said Gregg School District No.

22, and shall be disbursed upon proper warrant only for the purpose of constructing and equipping a school building at Vaucluse, as aforesaid.

§ 4. **Notes valid obligations.**—Said notes, when duly executed and delivered as aforesaid, shall be valid and incontestable obligations of said Gregg School District No. 22 of Aiken County in favor of the holder or holders thereof.

§ 5. **Payment.**—There shall be levied and collected annually by the Auditor and Treasurer of Aiken County, respectively, a tax upon all the taxable property in said school district sufficient to pay the principal of said notes and obligations, together with interest accruing thereon, as the same become due and payable.

§ 6. **Additional to act 1002, 1936 Acts.**—It is not the purpose of this Act to repeal Act No. 1002 of the Acts of the General Assembly, State of South Carolina, for 1936, approved May 9th, 1936, but is intended to supplement and be in addition thereto.

§ 7. **Date effective.**—This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(276)

No. 395.

AN ACT to Provide for the Construction of Certain State Highways in Aiken County Pursuant to the Reimbursement Agreement Between the State Highway Commission and Aiken County; to Authorize the Making of Such an Agreement and the Issuance of Aiken County Bonds for Said Purposes, and to Provide for the Payment of Said Bonds.

Section 1. Aiken County issue bonds construct certain state highways.—Be it enacted by the General Assembly of the State of South Carolina: The Board of County Commissioners of Aiken County be, and the same is hereby, authorized to issue serial bonds of Aiken County, upon the conditions hereinafter stated, for the purpose of raising moneys to aid in financing the construction of certain State Highways or sections thereof hereinafter designated.

§ 2. **Bonds.**—Said bonds shall bear interest at a rate not exceeding four and one-half (4½%) per centum per annum, payable semi-annually and shall mature at such time, or times, not exceeding twenty (20) years from date of said bonds, and shall be issued in

such form and denomination as the Senator and at least one-half of the members of the delegation from Aiken County in the General Assembly may direct in writing. The said bonds shall be signed by such County Officials as shall be designated by the Senator and at least one-half of the members of the Delegation from said County in the General Assembly, and the seal of the Board of County Commissioners of Aiken County shall be affixed to, or impressed upon, the said bonds. The delivery of the bonds shall be valid notwithstanding any change in officials, or seal, occurring after the execution of the bonds. The bonds shall be sold for not less than par and accrued interest. They shall be sold upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale. The award shall be made to the highest bidder, but the County shall have the right to reject all bids and readvertise the bonds for sale.

§ 3. Enter into reimbursement agreement with state highway commission.—No bonds shall be issued under this Act unless and until the Board of County Commissioners of Aiken County shall have previously entered into an agreement on behalf of such County with the State Highway Commission of South Carolina whereby the State Highway Commission shall have agreed to reimburse and repay said County for the monies to be advanced by the County to the State Highway Commission pursuant to said agreement. The amount of bonds to be issued shall not exceed the amount necessary, as estimated by the State Highway Commission, or the Chief Highway Commissioner, which amount shall be set forth in the reimbursement agreement. The said Board of County Commissioners may, by the terms of said agreement, agree to advance to the State Highway Commission monies necessary for the purpose of this Act, and the said Highway Commission may agree to reimburse and repay said county for all monies so advanced. The said Board of County Commissioners and the State Highway Commission shall have all powers necessary to enable them to carry out said agreement. The State Highway Commission shall reimburse and repay said County as aforesaid out of the funds authorized by other laws to be used for the construction of the State Highway system, and so much of said funds as may be necessary for the purpose of making such reimbursement is hereby pledged irrevocably for said purpose, except the money needed in order to make the payments to which said funds may have been previously pledged, and said pledge is hereby made a part

of the contract between said County and the holders of said bonds. All monies paid or reimbursed to the County by the State Highway Commission pursuant to the provisions of this Act are hereby pledged irrevocably for the purpose of paying the principal and interest of the bonds authorized to be issued pursuant to this Act. This pledge is hereby made a part of the contract between said County and the holders of said bonds. In fixing the time, or times, of maturity of said bonds the Board of County Commissioners of Aiken County shall consider the probable amounts to be received each year by way of reimbursement as aforesaid, and shall endeavor to arrange the time of maturity of said principal so that the levy of a tax will not be necessary in order to pay said principal.

§ 4. State highway commission agree pay certain interest on bonds.—In addition to agreeing to repay and reimburse the principal sum of money to be advanced by the County as aforesaid, the State Highway Commission is hereby authorized and empowered to agree to repay and reimburse such interest on said bonds as may become due on and after the date or time that the roads herein designated would have been constructed by the State Highway Commission in a normal course of construction and without means provided by this Act, such time, or times, to be determined by the State Highway Commission.

§ 5. Payment of bonds.—The full faith, credit and taxing power of Aiken County are hereby irrevocably pledged for the punctual payment of the principal and interest of said bonds as such principal and interest become due. The County Auditor of Aiken County is hereby authorized and directed to levy annually on all taxable property of such County a tax sufficient to pay said principal and interest as they respectively become due and the Treasurer of Aiken County is hereby authorized and directed to collect said tax and apply it to said purpose. But all monies received by the County from the State Highway Department by way of reimbursement under the agreement herein provided for shall be applied to the payment of said principal and interest and to the reduction of said tax. There shall also be applied to the payment of said interest and to the reduction of said tax so much of the one cent gasoline tax as the County may receive from year to year, after the date of the approval of this Act, from the State Treasurer. It is the intention of this Act that all bonds issued hereunder shall be direct and general obligations of Aiken County, payable primarily by means of a property tax.

§ 6. **Bonds tax exempt.**—All bonds issued under the provisions of this Act shall be exempt from all State, County or municipal taxes.

§ 7. **Type of construction.**—The construction herein authorized shall include hard surface construction as determined by the State Highway Department.

§ 8. **“Highway” and “road” defined.**—The term “highway” or “road” as used in this Act shall include bridge and drainage structures.

§ 9. **Highways construct.**—The highways or sections thereof, together with necessary bridges, to be constructed with funds made available under the provisions of this Act are, namely; State Highway No. 39 from the Orangeburg County line through Perry by way of Salley; State Highway No. 39 from Wagener to Jones' Cross Roads; State Highway No. 394 from the Orangeburg County line through Salley to the intersection with State Highway No. 215, and State Highway No. 19 from Aiken to the intersection with State Highway No. 28 near Ellenton.

§ 10. **No effect on act 984, 1936 Acts.**—The provisions of this Act shall not affect the provisions of Act No. 984, Acts of the General Assembly of 1936, which prohibits the State Highway Commission and/or the State Highway Department from incurring or assuming any bonded indebtedness in excess of the aggregate principal indebtedness of the said Commission and/or Department as of the 1st day of January, 1934.

§ 11. **Repeal.**—All Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed to the extent of such inconsistency. This Act shall not be construed to be inconsistent with or repealing any other Act or Acts authorizing the issuance of bonds or other obligations for the purpose for which bonds are hereby authorized to be issued, but shall be held and construed to be cumulative thereto.

§ 12. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 9th day of April, 1937.

(478)

No. 396.**AN ACT Authorizing the Master of Aiken County to Invest Certain Funds Held by Him as Master in Certain Bonds.**

Section 1. Master invest certain funds, Aiken County.—Be it enacted by the General Assembly of the State of South Carolina: That the Master of Aiken County is authorized and empowered to invest funds or monies held by him, in Aiken County bonds, issued for School or general purposes, and in bonds issued by the State of South Carolina for Highway reimbursements or general purposes.

§ 2. Amount invest.—That the amount to be so invested shall not exceed the sum of three thousand dollars; and such part thereof as may be invested, shall be solely in the discretion of the Master; *Provided*, The Master shall not invest any funds he has received since January 1st, 1933; nor shall he so invest any funds that he may receive in the future; *Provided, Further*, That the interest on said bonds so invested shall be used solely for the purpose of removing the deficit or loss sustained by various litigants occasioned by the failure of any bank or banks prior to January 1st, 1933, in which funds due said litigants were deposited.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 4th day of May, 1937.

(559)

No. 397.

AN ACT to Provide for the Levy of Taxes for Allendale County for School and County Purposes for the Year 1937; to Provide for the Expenditure Thereof; to Prescribe the Amount of Fees and Expenses of Certain County Officials and the Disposition of Revenues to be Derived from Current Levies, Contemplated Revenues, Forfeited Lands, and Delinquent Tax Executions; and to Authorize the Pledging of Revenues to be Realized from Delinquent Tax Executions, Gasoline Taxes and Liquor Revenues.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That there shall be levied upon all taxable property of Allendale County for the year 1937 a tax in a sufficient

number of mills to provide for the payment of the items and expenditures hereinafter set forth. The Auditor and Treasurer are hereby directed to ascertain the amount of revenue derived from all sources up to September 1, 1937, and to estimate the further amount of revenue to be derived from all sources during the period commencing September 1, 1937, and ending December 31, 1937, and applicable to the purposes of this Act, and to provide for a levy of taxes only in such amount as shall be necessary to make payment of the sums hereinafter appropriated after applying the revenues received from delinquent taxes and other ascertained and estimated revenues.

§ 2. The following amounts are hereby appropriated for the year 1937:

Item 1. Roads and Bridges:

Convicts and Maintenance of road working organization, including material and extra labor for repairs of roads and bridges.....	\$ 6,000.00
(Not more than one-twelfth (1/12) of the above amount to be expended or obligated in any one Calendar month without the written consent of the Legislative Delegation.)	

Item 2. Notes and accounts outstanding for materials

and supplies:	\$ 6,000.00
Interest S. B. Bennett.....	780.00
Principal S. B. Bennett.....	1,000.00
	7,780.00

Item 3. Salaries:

Clerk of Court.....	600.00
Clerk Hire for Clerk of Court.....	300.00
Sheriff's Salary	1,500.00
Expenses	150.00
Deputy Sheriff	900.00
Expenses gas, oil, auto and repairs.....	420.00
Treasurer	666.66
Clerk Hire	150.00
Auditor	666.66
Clerk Hire	150.00

Superintendent of Education

(If so much be necessary to pay the amount
now fixed by existing law, including such
amount as may be paid by the State.....

	900.00
Expenses	420.00
County Attorney	200.00
County Physician	200.00
Coroner	200.00
Janitor—Court House	720.00
Clerk County Health Program.....	360.00
Jailor	420.00
Chief County Commissioner's salary.....	1,500.00
Expenses	300.00
Two County Commissioners @ \$150.00 each	300.00
Clerk County Commissioners.....	360.00
Salary of Purchasing Agent.....	540.00
Judge of Probate.....	300.00
Clerk Hire	300.00
Stenographer of Probate Court.....	300.00
Tax Collector	1,500.00
Expenses	300.00
Constables	1,610.00
Magistrates	1,610.00

17,843.32

That the amount of salary and expenses paid to
the Deputy Sheriff shall not be paid unless
and until same is approved by the Legislative
Delegation from Allendale County.

Item 4.	Board of Education.....	75.00
	Board of Equalization	100.00
		175.00
Item 5.	Jail expenses, including dieting of prisoners @ 40¢ per day.....	1,000.00
Item 6.	Court Expenses	2,000.00
Item 7.	County Home, Poor House and Poor, includ- ing the Welfare Program.....	1,000.00

Item 8.	Post Mortems, Inquests.....	200.00
	Lunacy Inquiries	200.00
		400.00
Item 9.	Public Buildings, including repairs, water, light, fuel and insurance.....	800.00
Item 10.	Printing, postage and stationery.....	400.00
Item 11.	Vital Statistics	121.25
	Telephone and Telegraph.....	200.00
	Premium on Bonds.....	500.00
	County Library	75.00
	Fairfax Library	75.00
		971.25
Item 12.	Short Course	50.00
	Miscellaneous Expenses	
	County and Home Demonstration Agents....	50.00
	Boys 4-H Club.....	40.00
	Telephone and Telegraph.....	50.00
		190.00
Item 13.	Contingent Fund (to be expended only at the direction of the Senator and Representative	5,000.00
Item 14.	Negro Summer School.....	275.00
Item 15.	Colored Demonstration Work.....	300.00
Item 16.	County Health Program.....	600.00
Item 17.	Tubercular Inspection Work.....	100.00
Item 18.	Copying records in Clerk's office, W. P. A. project	300.00
	Grand Total	\$ 45,134.57
	Less estimated revenues:	
	Commutation Tax	\$ 5,000.00
	Fines and Licenses, Clerk of Court.....	700.00
	Gasoline Tax	7,500.00
	Insurance	200.00

Fines—Magistrates	500.00
Liquor Revenues	2,000.00
Delinquent Tax Collections to be applied on past due items.....	8,000.00

 23,900.00

Amount to be raised by taxation 21,234.57

That the amount of commutation tax which shall hereafter be levied in Allendale County shall be the sum of two (\$2.00) dollars per person for those subject to such tax.

§ 3. The costs and expenses of the levy, advertising and sale of lands heretofore or hereafter purchased by the Forfeited Land Commission under tax sale, shall be paid by the Treasurer on warrants of the County Board, approved by the County Delegation, out of any funds available therefor: *Provided*, That the proceeds of the sale of lands sold by the Forfeited Land Commission shall be chargeable with all such costs and expenses and, if such claims are paid from funds not so realized, then all amounts paid from the General County Fund shall be replaced from sales of land when made by the Forfeited Land Commission.

§ 4. The sums hereinabove appropriated shall be used only if so much be necessary as to each item hereinabove provided for: *Provided*, That any unexpended balance of any appropriation for any particular item may be applied to any other item, or items, for which the amount appropriated is insufficient, or may be used for such other expenditures as shall be approved in writing by the Legislative Delegation.

§ 5. In the event it shall be necessary to borrow money in anticipation of the collection of taxes, or other revenues, in order to meet the expenses above listed, or other expenses, for past due or current obligations, or other obligations outstanding, or to be incurred during the first three calendar months of the year 1938, or to pay any indebtedness or any expenditure authorized by the Legislative Delegation, the Auditor is hereby authorized and directed to levy a tax in a sufficient amount to pay such obligations with interest thereon, upon written instructions from the Legislative Delegation to make such levy, the said tax to be levied and collected at the same time and in the same manner as the levy provided for in Section 1 of this Act, and if any item or items above listed shall be insufficiently

provided for, the County Board of Commissioners, with the written consent of the Legislative Delegation, are authorized to borrow funds to meet any such deficiency, or deficiencies, and to pledge for such purpose all available current and past due revenues, including revenues to be derived from the gasoline tax and liquor revenues for the years 1937 and 1938.

§ 6. The County Board of Commissioners are hereby directed to limit the number of mules and convicts retained on the County chaingang to such manner as the Legislative Delegation shall direct from time to time, and to sell or otherwise dispose of such chaingang equipment as the said delegation shall direct and to limit the number of guards and tractor operators according to instructions from the Legislative Delegation. No road machinery or equipment for road maintenance or construction priced in excess of \$250.00 shall be purchased or contracted for without the written consent of the Legislative Delegation. The County Board of Commissioners, beginning April 1st, 1937, is hereby directed to discontinue the use of the County chaingang tractor and to discontinue the regular employment of the operators thereof: *Provided*, That in emergencies, and with the consent of the Legislative Delegation, the tractor may be put in operation for such length of time, and for such purposes, as the Delegation, in its discretion may authorize.

§ 7. Sheriff is authorized to employ such trusty convict labor as he may deem desirable in the care and maintenance of the County Jail and premises. The County Board of Commissioners is hereby authorized to repay all municipalities of the County for chaingang labor received through the Courts of such municipalities by work of the County chaingang upon the streets and drainage of such municipalities: *Provided*, That such municipalities shall pay for the dieting of all prisoners while so engaged upon the streets or drainage of such municipalities.

§ 8. The items for post mortems and inquests, and the item for lunacy inquiries are hereby declared to be fixed items, it being the intention of this Act that the amounts therein provided for shall constitute the full amount appropriated for all expenses of inquest and lunacy inquiries held within the County during the year 1937, including payment to the officers charged with conducting the same, and all expenses and fees of physicians, witnesses and jurors.

§ 9. Whenever it shall be necessary to meet the expense of foreclosing any real estate mortgage owned by or pledged with the Coun-

ty, or to buy in such property on behalf of the County, the payment of such expense shall be made from the contingent fund, or other available funds, and the rents received from such property shall be carried to the general county fund or restored to the contingent fund in the discretion of the Legislative Delegation. Such property may be sold by the County Board on the written approval of the Legislative Delegation, the proceeds of sale to be applied to such account or placed in such fund as the Legislative Delegation may direct, or as provided in Section 3 of this Act.

§ 10. The Legislative Delegation is hereby granted full power and authority to direct and provide for the expenditure of such sums as in their discretion they deem necessary for any county purpose not herein provided for and they are specifically authorized to direct the expenditure of the appropriation for County Home, Poor House and Poor, including the County Welfare Program.

§ 11. The Legislative Delegation is hereby authorized and empowered to make settlement with the Sheriff in such sum as they may deem reasonable in payment of the services accruing to his office by reason of tax executions heretofore placed in his hands and subsequently required to be turned over by him to the Tax Collector, but no sum shall be paid to the Sheriff under the provisions of this Section except with the approval of the Legislative Delegation and the written consent and receipt in full of the Sheriff.

§ 12. The Clerk of Court may charge a fee of seventy-five (75c) cents for the indexing and recording of all chattel mortgages, crop liens, crop mortgages, and bills of sale, Sections 3636 and 3637 of the Code of 1932 to the contrary notwithstanding.

§ 13. All gasoline, oil and lubricants purchased on behalf of the County for the use of any county official or for the operation of its chaingang equipment shall be purchased by the County Purchasing Agent on competitive bids, the bid of the lowest responsible bidder to be accepted by the said Purchasing Agent.

§ 14. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 15. This Act shall take effect immediately upon its approval by the Governor.

Approved the 13th day of May, 1937.

(371)

No. 398.

AN ACT to Provide for Expenses on Behalf of Anderson County for the First Six Months of 1937; to Authorize Anderson County to Borrow Sums of Money to be Used in the Payment of Part of Such Expenses and Issue a Note or Notes as Evidence Thereof; to Provide for the Levying of Taxes, the Proceeds of Which are to be Used in the Payment of Such Note or Notes and Interest Thereon; and to Provide for the Disposition of Certain Funds of Said County.

Whereas it is desired to change the fiscal year regarding the finances of Anderson County from January 1 to December 31 to July 1 to June 30, and

Whereas, in order to accomplish this, it is proposed to enact a bill providing for the expenditures of Anderson County for the first six months of 1937 and provide for the raising of the revenue for same, and then to enact a regular Supply Act providing for the expenditure of funds by said County for the fiscal year beginning July 1, 1937 and terminating June 30, 1938, and to provide for the raising of the revenue necessary therefor, and

Whereas, it is desired that the revenue necessary to pay the expenses of said County for the first six months of the year 1937 be raised by taxation over a period of several years, *Now Therefore*

Section 1. Anderson County borrow.—Be it enacted by the General Assembly of the State of South Carolina: That the Supervisor and Treasurer of Anderson County be, and they are, hereby authorized, empowered and directed to borrow on behalf of said County a sum or sums of money not exceeding One Hundred Fifty Thousand (\$150,000.00) Dollars, or so much thereof as may be necessary, for the purposes of carrying out the provisions of this Act.

§ 2. Estimated income.—That said sum or sums of money herein authorized and directed to be borrowed, together with the income from the sources below named during the first six months of 1937 and estimated to be as follows, to wit:

From State Highway Department	
(for reimbursement bonds)...	\$129,000.00
Interest on Reimbursement Bonds	24,320.00
Fines and liens received by the	
Clerk of Court	4,000.00
Fines, etc., received by magistrates	6,000.00

Gas Tax	34,000.00
Fees, Probate Judge	1,500.00
Fees, Auditor	100.00
Fees, Tax Collector	2,250.00
Income, Supervisor's office.....	500.00
Fees, Sheriff	250.00
Delinquent Tax Income	5,400.00
Beer and Whiskey Tax	5,500.00

Total \$212,820.00

shall be used by Anderson County in paying the expenses of said County during the first six months of the year 1937, which expenses are hereby authorized in the amounts as hereinafter set out.

§ 3. Expenses for January 1, 1937, to July 1, 1937.—That the expenses of Anderson County for the first six months of 1937 are to be as follows, or so much thereof as may be necessary:

(a) Roads and Bridges:

New Road Machinery	\$ 15,000.00
Convicts and maintenance of road working organization	\$ 53,125.00

Total \$ 68,125.00

(b) Salaries, etc:

Clerk of Court	\$ 1,500.00
Clerical Help, Clerk of Court...	1,200.00
Extra Clerical Help, Clerk of Court	300.00
Sheriff	1,500.00
Deputy Sheriffs, 6 @ \$825.00 each	4,950.00
Clerical Help, Sheriff's Office...	450.00
Treasurer	558.25
Clerk to Treasurer and Help....	1,200.00
Auditor	558.25
Clerk to Auditor and Help.....	1,350.00
Traveling Expenses, Auditor....	100.00
Calculating and adding machine for Auditor's office	450.00
Tax return card index system....	120.00
Superintendent of Education....	1,500.00

County Attorney	125.00	
County Physician	300.00	
Coroner	330.00	
Janitor, Court House	390.00	
Jailor	510.00	
Supervisor	1,500.00	
Clerk to Supervisor	900.00	
Board of Finance, 4 @ \$100.00 each	400.00	
County Health Officer	1,500.00	
County Health Nurse	600.00	
Probate Judge	1,500.00	
Clerk to Probate Judge	600.00	
Court House Maid	150.00	
Service Officer	300.00	
Office Supplies and Rent for Serv- ice Officer	60.00	
Constables and Magistrates	4,362.50	
One Deputy for 2 Magistrates in City of Anderson	900.00	
Traveling Expenses, Sheriff and Deputies	1,050.00	
Salary, Tax Collector	900.00	
Clerical Help, Tax Collector....	1,260.00	
Salary, County Agent	200.00	
Rent, County Agent's Office....	300.00	
Rent, County Demonstration Negro Agent	50.00	
Stenographer, etc., County Agent's Office	200.00	
Office Rent, Health Unit	150.00	
Supplies, Health Unit	75.00	
Special Magistrate Court	600.00	
Negro Agent	50.00	
Total		\$ 34,999.00

(c) County Board:

Board of Equalization	\$ 2,700.00	
Total		\$ 2,700.00

(d) Jail Expenses, including dieting of prisoners and Assistant Jailer..\$	2,000.00	
Total		\$ 2,000.00
(e) Jurors and Witnesses	5,000.00	
Total		\$ 5,000.00
(f) County Home. Poorhouse, and Poor, including Salary of Superintendent	5,500.00	
Total		\$ 5,500.00
(g) Post Mortems, Inquests and Lunacy	500.00	
Total		\$ 500.00
(h) Public Buildings, including Water, Light, Fuel and Insurance....	1,500.00	
Total		\$ 1,500.00
(i) Printing, Postage and Stationery..\$	2,000.00	
Total		\$ 2,000.00
(j) Miscellaneous Contingent	2,500.00	
Total		\$ 2,500.00
(k) Other Expenses:		
Clerical Help, Seed Loan Office..\$	200.00	
Armory	\$ 1,600.00	
Two Terracing Outfits	\$ 7,104.40	
Repair Bridges and Washouts on Road	\$ 3,776.41	
Direct Relief, February, 1937,....	600.00	
Anderson County T. B. Association	200.00	
Coast Artillery, Bat. "E" 263rd Regt	175.00	
Coal, Water and Lights, Sewing Rooms and WPA Office	100.00	
Airport Commission	150.00	

Anderson County Hospital,	
Charity Work	4,500.00
Salvation Army	300.00
Traveling Expenses, Supervisor.	150.00
Carlisle Courtney Home	150.00
Vital Statistics	759.00
Court House Referendum Ex-	
penses	600.00
Rent, Federal Offices and Sewing	
Rooms	915.00
Refund of E. H. Ballentine's taxes	129.00
<i>Provided, Same is approved by</i>	
County Auditor and Treasurer	

Total	\$ 21,408.81
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(1) Past Indebtedness:

On Surfacing Notes	\$ 9,195.12
Retirement Reimbursement Bonds	129,000.00
Interest on Reimbursement Bonds	24,320.00
Interest on Bonds	26,500.00

Total	\$ 189,015.12
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GRAND TOTAL	\$ 335,247.93
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§ 4. Persons receive free board at jail.—That only the jailor and his wife, the assistant jailor and prisoners, shall receive free board at the jail. Such sum as the County Finance Board shall fix shall be paid to the County by other members of the jailor's family and members of the assistant jailor's family who receive board at the jail.

§ 5. Issue notes secure loans.—That the loan or loans herein authorized may be evidenced by notes executed in the name of Anderson County by said Supervisor and Treasurer which shall mature at such time or times as the Supervisor and Treasurer may deem advisable, and may be renewed from time to time and shall bear such interest rate and contain such terms and conditions as said Supervisor and Treasurer deem advisable. That the loan or loans herein authorized shall constitute valid debts against Anderson County, and the full faith, credit and taxing power of said County are hereby irrevocably pledged for the payment of same and any and all renewals thereof and all interest thereon. The Auditor of Ander-

son County is hereby authorized and directed to make a special levy of two mills on each dollar of all the taxable property in said County for the year 1937, and a like tax of two mills for each and every year thereafter until the said notes and renewals thereof and all interest thereon shall have been paid in full. That the proceeds of said levies shall be turned into the County Treasury and applied toward the payment of said notes and renewals thereof and interest thereon as same become due until same shall have been paid in full.

§ 6. Surplus use pay for 1935 road work.—That the Board of Finance is hereby authorized and directed to use the \$13,246.00 surplus remaining on hand, after the payment of the County Home note, the Jail note and the past indebtedness note and interest thereon, which was the proceeds of the one-half, one, and two mill levies for such purposes, in part payment of money borrowed for hard surfacing roads in Anderson County during the year 1935.

§ 7. Use of miscellaneous appropriation.—That the Board of Finance of said County may use the miscellaneous appropriation herein made for any proper expense of the County as it deems advisable.

§ 8. All Acts or parts of Acts inconsistent with this Act are hereby repealed

§ 9. This Act shall take effect upon its approval by the Governor.
Approved the 23rd day of April, 1937.

(474)

No. 399.

AN ACT to Provide for the Levy of Taxes for the Calendar Year, 1937, in Anderson County for County and School Purposes for the Fiscal Year Beginning July 1, 1937, and Ending June 30, 1938; to Direct the Expenditure Thereof and to Fix Salaries.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax is hereby levied for the calendar year, 1937, upon the taxable property in Anderson County for county and school purposes for the fiscal year beginning July 1, 1937, and ending June 30, 1938, in the amounts and for the purposes hereinafter stated.

§ 2. For the purposes stated in this Section a levy of Eleven and one-half (11½) mills is hereby made on the taxable property in said county for the fiscal year beginning July 1, 1937, and ending June

30, 1938, to be expended as follows or so much of the following amounts as may be necessary:

Item A. Roads, Bridges and Convicts:

A-1. Maintenance of Road and Bridge

Working Organizations 100,000.00

Provided, That none of these funds herein appropriated shall be used for the construction of new roads without written authority of the Anderson County Delegation.

Provided, Further, That the Supervisor is hereby authorized and directed to increase salary of all Maintenance Crews, Convict Guards, and other Employees of the Road and Bridge Organizations now receiving less than \$100.00 per month by \$10.00 per month.

Item B. Public Buildings:

B-1. Salary of Court House Janitor 900.00

B-2. Salary of Court House Maid 420.00

B-3. Water, Light, Power, Fuel and Insurance 3,000.00

Item C. County Jail:

C-1. Salary of Jailor 1,020.00

C-2. Jail Expenses, Including Dieting of Prisoners 4,000.00

Provided, That the prisoners in the County Jail shall be fed at the actual cost, and that all bills for food, etc., shall be paid by vouchers in the same manner as other County expenditures.

Provided, Further, That the jailor and his wife, and the assistant jailor, shall receive their board free at the jail and that expenditures for the board of all other persons at the jail, aside from

the prisoners, shall be regulated by the Finance Board of Anderson County.

Provided, Further, That the jailor shall furnish to the Finance Board an itemized statement, certified to by the Sheriff of Anderson County, of all matters pertaining to board and dieting of prisoners at the jail, certified to by the Sheriff of Anderson County.

Item D. Court Expenses:

D-1. Jurors, Witnesses, Bailiffs, Etc.. 10,000.00

Provided, That the pay for both Grand and Petit Jurors in the Circuit Court shall be \$2.50 per day; the pay for bailiffs shall be \$2.50 per day.

Provided, Further, That witnesses shall receive \$1.00 per day and mileage as now provided by law.

D-2. Expenses of Special Magistrate's Courts, Including Pay of Jurors and Witnesses and Pay for Court Stenographer 1,200.00

Provided, That the salary of the stenographer shall be \$85.00 per month.

Item E. Post Mortems, Lunacy and Inquests 1,000.00

Item F. Books, Stationery, Printing and Advertising, including Supplies and Postage 4,000.00

Item G. County Board of Equalization... 3,500.00

Provided, That \$800.00 of the above amount to be expended only upon the written authorization of the Legislative Delegation.

Item H. Bond Retirement and Interest:

H-1. Retirement of County Bonds....	92,500.00
H-2. Interest on County Bonds.....	51,225.00
H-3. Retirement of State Highway Reimbursement Bonds	146,500.36
H-4. Interest on State Highway Reimbursement Bonds	45,375.29
H-5. Interest on Current Loan.....	3,500.00

Item I. County Health Unit:

I-1. Salary of County Health Officer	3,000.00
I-2. Salary of County Health Nurse.	1,200.00
I-3. Office Rent	480.00
I-4. Telephone	100.00
I-5. Lights	18.00
I-6. Office Supplies	130.00
I-7. Biologicals	300.00

Item J. Salaries:

J-1. Clerk of Court's Office:	
Clerk of Court	3,000.00
Clerical Help for the Clerk of Court, 2 @ \$100.00 each per month and 1 @ \$75.00 per month	3,300.00
J-2. Sheriff's Office:	
Sheriff	3,000.00
Deputies, Six (6) at \$1,800.00 each	10,800.00
Clerical Help	900.00
Traveling Expenses Sheriff and Deputies	2,400.00
Deputy to Serve Magistrate in City of Anderson	1,950.00
J-3. Treasurer's Office:	
Treasurer	1,116.50
Clerical Help	2,400.00
<i>Provided, That the total salaries, that is to say, the amount paid by the State and County, of the Auditor and Treasurer, shall be</i>	

for each the sum of Three Thousand (\$3,000.00) Dollars.

J-4. Auditor's Office:

Auditor	1,116.50
Travel	100.00
Clerical Help	3,000.00

Provided, That the total salaries, that is to say, the amount paid by the State and County, of the Auditor and Treasurer, shall be for each the sum of Three Thousand (\$3,000.00) Dollars.

J-5. Tax Collector's Office:

Tax Collector	1,800.00
Deputy Tax Collector	1,200.00
Clerical Help, 2 @ \$75.00 per month each	1,800.00

J-6. Superintendent of Education's Office:

Superintendent of Education....	3,000.00
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Provided, That the total salary, that is to say, the amount paid by the State, if any, and the County, shall be not exceeding Three Thousand (\$3,000.00) Dollars.

J-7. Supervisor's Office:

Supervisor	3,000.00
Board of Finance, 4 @ \$200.00 each	800.00
Clerk	1,800.00

J-8. County Attorney

250.00

J-9. County Physician

600.00

J-10. Coroner

660.00

J-11. County Agent's Office:

County Agent	400.00
Stenographer, Etc.	400.00
Rent—County and Home Agents	600.00
Rent—Negro Agent	100.00
4-H Club Boys' Camp.....	50.00
4-H Club Girls' Camp.....	50.00

J-12. Vital Statistics	759.00
J-13. Magistrates:	
H. G. Dean, or Successor, Ander- son	2,000.00
G. H. Geiger, or Successor, An- derson	2,000.00
C. E. Clement, or Successor, Bel- ton	285.00
W. L. Snipes, or Successor, Town- ville	210.00
S. E. Whitten, or Successor, Pendleton	210.00
Joe Pinson, or Successor, Honea Path	210.00
J. A. Patterson, or Successor, Wil- liamston	135.00
C. L. Martin, or Successor, Pendle- ton	60.00
Frank J. Tripp, or Successor, Pel- zer	210.00
W. G. Brissey, or Successor, Pied- mont	210.00
A. E. Thompson, or Successor, Starr	160.00
L. D. Young, or Successor, Iva..	210.00
A. E. Cowan, or Successor, Mar- tin	160.00
J. M. Rogers, or Successor, Wil- liamston, Route No. 2.....	110.00
Will Erwin, or Successor, Sandy Springs	85.00
J-14. Constables	3,400.00
J-15. Probate Judge's Office:	
Probate Judge	3,000.00
Clerk	1,200.00
Item K. Charities:	
K-1. Salvation Army	600.00
K-2. Anderson County Hospital	9,000.00
<i>Provided, That this fund shall be expended as provided in Sec- tion 8 of this Act.</i>	

K-3. County Home Maintenance.....	11,000.00	
<i>Provided, That, in the event a State Social Security Act is passed, the Legislative Delegation shall have jurisdiction over the expenditures of the amount above appropriated.</i>		
K-4. Anderson County T. B. Association	450.00	
K-5. Carlisle-Courtney Home	270.00	
K-6. Welfare Board	170.00	
Item L. Miscellaneous:		
L-1. American Legion Service Officer	900.00	
L-1a. Office Rent, Supplies and Postage	120.00	
L-2. Coast Artillery, Battery E., 253rd. Reg.	350.00	
L-3. Anderson Air Port Commission..	300.00	
L-4. Rent for Federal Agencies	1,830.00	
Item M. Audit of County Books:		
M-1. Annual Audit	500.00	
<i>Provided, That the amount above appropriated to be expended under the authorization of the Legislative Delegation and under the supervision of the Comptroller General of the State of South Carolina.</i>		
Item N. Contingent Fund	5,000.00	
GRAND TOTAL		568,065.65
Item O. Revenue Other than Property Taxes (Estimated):		
O-1. Fines and Costs, Magistrates...	16,000.00	
O-2. Fines, Licenses and Fees, Clerk of Court	12,000.00	
O-3. Fees, Auditor	300.00	
O-4. Fees, Probate Judge	4,000.00	
O-5. Fees, Tax Collector	5,000.00	
O-6. Fees, Sheriff	500.00	
O-7. Fees, Supervisor	1,500.00	

O-8. Gasoline Tax	80,000.00	
O-9. Delinquent Taxes	18,000.00	
O-10. Insurance Commissioner	11,000.00	
O-11. State Highway, Reimbursement and Interest to County	15,775.00	
O-12. Beer and Liquor Tax.....	16,000.00	
O-13. State Highway for Reimburse- ment Bonds	146,500.36	
O-14. State Highway Interest on Reim- bursement Bonds	45,375.29	
Total Item O. Estimated Revenue		371,950.65
Estimated Amount to be Raised by Property Tax:		196,115.00

§ 3. The Board of Finance is hereby empowered to use any surplus credit balance existing under any item herein for supplementing the appropriation in any other item in its discretion.

§ 4. The Board of Finance may pay out of the contingent fund such expenditures as it sees fit. Said Board is further authorized to pay to the Supervisor from the amount appropriated for road maintenance in Item A-1 of Section 2 the estimated actual expense of said Supervisor's travel in the performance of his necessary duties in the supervision of roads and convicts not to exceed Six Hundred (\$600.00) Dollars.

§ 5. An additional tax of five (5) mills on the taxable property of Anderson County is hereby levied for public school purposes. Of this an amount not greater than the revenue realized from the levy of two and one-half ($2\frac{1}{2}$) mills shall be used to operate schools of the County for the ninth month of the school year; an amount not greater than the revenue realized from the levy of one (1) mill shall be used as aid to high schools in Anderson County; and an amount not greater than the revenue realized from the levy of one-half ($\frac{1}{2}$) mill shall be used to pay the tuition of high school pupils attending high school purposes, including transportation of pupils, in the discretion of the County Board of Education. Out of this remainder the Board is authorized to pay to the members of said Board the sum of Forty-Five (\$45.00) Dollars annually as salaries and to pay to the Superintendent of Education the estimated actual expense of his travel in the performance of his necessary duties in the supervision of schools not to exceed Six Hundred (\$600.00)

Dollars; said Board may also spend out of this fund an amount not to exceed Fifteen Hundred (\$1,500.00) Dollars for furnishing free text books to the poor pupils in the public schools. *Provided*, That the Superintendent of Education shall make a quarterly report to the Supervisor and Board of Finance of said county of the expenditure of the proceeds of the said five-mill levy. Said reports shall show the payee of any of said funds, together with the amount paid and for what purposes same were paid. The Supervisor, in publishing the regular quarterly report of expenditures of the County, shall include therein the expenditures made by the Superintendent of Education of the funds derived from said five-mill levy in accordance with the report files with him by said Superintendent of Education.

§ 6. The Supervisor or other proper County Officer is hereby authorized to pay the premiums on the official bonds required of the six (6) Deputy Sheriffs of Anderson County, and of the deputy to serve magistrates in the City of Anderson.

§ 7. All salaries as set out are intended as the annual salary of the person designated and are to be paid upon a monthly basis of twelve (12) equal installments for such time as such persons shall be in actual service in their respective positions. All other items herein are to be expended upon approximately a monthly basis unless such expenditure is inconsistent with the purpose of the appropriation.

§ 8. Of the appropriation in Item K-2, Section 2, Five Hundred (\$500.00) Dollars shall be held by the Anderson County Hospital subject to the order of the Anderson County Federated Women's Clubs to pay the expenses of patients cared for by the Maternity Fund of said organization. The remainder of the appropriation shall be paid out in the following manner: The Hospital shall only consider cases eligible for the benefits of this fund when on careful examination such patients are found unable to pay for their necessary hospitalization and shall require of such patient an application similar in form to the one now required and the hospital records of each case, including the application, shall at all times be available to inspection by the Supervisor and Board of Finance. The said Hospital shall submit to the Supervisor and Board of Finance monthly a statement setting forth the names of the patients and the number of days it was found necessary that they be in the Hospital. The Hospital shall then be paid \$2.25 per patient day for patients listed on such statement not found by the Supervisor and Board financially

able to bear their own expenses. It shall be necessary that a case be approved as a case for charity by the Supervisor or the Board of Finance before admission, except in cases of emergency.

§ 9. That in the event Bonds are not issued by said County under the Court House building Act enacted at this Session of the General Assembly, proper expenses incurred by the Court House Building Commission shall be paid by the County out of the Court House Repair Fund to be realized from the sale of Bonds under the provisions of the Court House Repair Act enacted during the 1936 Session of this General Assembly or out of Contingent Fund set out in this Supply Act, as the Board of Finance deems advisable.

§ 10. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 11. This Act shall take effect upon its approval by the Governor.

Approved the 1st day of May, 1937.

(155)

No. 400.

AN ACT to Authorize School District No. 8 of Anderson County, the State of South Carolina, to Issue and Sell Bonds in the Amount of Not Exceeding Seven Thousand Eight Hundred (\$7,800.00) Dollars to Finance the Cost of the Construction of a School Building and Improvements to an Existing School Building, Including the Necessary Equipment Therefor, and to Provide for the Payment of Said Bonds and Interest Thereon.

Section 1. School District No. 8, Anderson County, issue bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of School District No. 8 of Anderson County be, and they are hereby, authorized and empowered to issue and sell negotiable coupon bonds of said school district in amount, or amounts, not to exceed the sum of Seven Thousand Eight Hundred (\$7,800.00) Dollars. The only proceedings necessary to evidence the legality of said bonds shall be an appropriate resolution of the Board of Trustees.

§ 2. **Maturities—denominations—interest.**—That the principal of said bonds shall mature serially at such times and in such amounts, and shall be in such denomination or denominations, as may be determined by a resolution adopted by the Board of Trustees, pro-

vided that the last maturity of the principal of said bonds shall not be more than twenty (20) years from the date of the bonds. The principal of and interest on said bonds shall be payable at such time or times, and at such place or places, and in such medium of payment, as shall be prescribed by a resolution adopted by the said Board of Trustees, and shall bear interest at a rate not exceeding four (4%) per centum per annum, payable semi-annually.

§ 3. Execution.—That such bonds shall be signed by the Board of Trustees of said school district, and the corporate seal of said district shall be affixed thereon and the coupons attached to said bonds shall bear the facsimile signatures of the members of the Board of Trustees.

§ 4. Sale—use of proceeds.—That the Trustees shall sell such bonds in such manner, and upon such terms, as they deem to be in the best interest of said school district, provided that they shall not be sold for less than par and accrued interest. The proceeds from the sale of said bonds shall be used for the purpose of constructing a school building and improvements to an existing school building, including the necessary equipment therefor, in said district.

§ 5. Payment.—That for the prompt payment of the principal of and interest on said bonds when the same become due and payable the full faith, credit and taxing power of said school district are hereby irrevocably pledged, and there shall be levied annually an *ad valorem* tax upon all the taxable property within the territorial limits of said school district in an amount sufficient to pay the principal of and interest on said bonds as the same become due and payable.

§ 6. Cumulative.—That the powers conferred by this Act are in addition to, and not in substitution for, the powers conferred by any other Act, whether general, local or special, and the said Board of Trustees are authorized and empowered to issue the said bonds, notwithstanding anything to the contrary in any other Act, whether general, local or special.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 12th day of March, 1937.

(165)

No. 401.

AN ACT to Authorize School District No. 8 of Anderson County, the State of South Carolina to Issue and Sell Bonds in the Amount of Not Exceeding \$7,800.00 to Finance the Cost of the Construction of a School Building and Improvements to an Existing School Building, Including the Necessary Equipment Therefor, and to Provide for the Payment of Said Bonds and Interest Thereon.

Section 1. School District No. 8, Anderson County, issue bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of School District No. 8 of Anderson County be, and they are hereby authorized and empowered to issue and sell negotiable coupon bonds of said school district in amount or amounts not to exceed the sum of seven thousand eight hundred (\$7,800.00) dollars. The only proceedings necessary to evidence the legality of said bonds shall be an appropriate resolution of the Board of Trustees.

§ 2. Maturities—denominations—interest.—That the principal of said bonds shall mature serially at such times and in such amounts and shall be in such denomination or denominations as may be determined by a resolution adopted by the Board of Trustees, provided that the last maturity of the principal of said bonds shall not be more than twenty (20) years from the date of the bonds. The principal of and interest on said bonds shall be payable at such time or times and at such place or places and in such medium of payment as shall be prescribed by a Resolution adopted by the said Board of Trustees and shall bear interest at a rate not exceeding four (4%) per centum per annum, payable semiannually.

§ 3. Execution.—That such bonds shall be signed by the Board of Trustees of said school district and the corporate seal of said district shall be affixed thereon and the coupons attached to said bonds shall bear the facsimile signatures of the members of the Board of Trustees.

§ 4. Sale—use of proceeds.—That the Trustees shall sell such bonds in such manner and upon such terms as they deem to the best interest of said school district provided that they shall not be sold for less than par and accrued interest. The proceeds from the sale of said bonds shall be used for the purpose of constructing a school building and improvements to an existing school building, including the necessary equipment therefor, in said district.

§ 5. **Payment.**—That for the prompt payment of the principal of and interest on said bonds when the same become due and payable the full faith, credit and taxing power of said school district are hereby irrevocably pledged and there shall be levied annually an *ad valorem* tax upon all the taxable property within the territorial limits of said school district in an amount sufficient to pay the principal of and interest on said bonds as the same become due and payable.

§ 6. **Cumulative.**—That the powers conferred by this Act are in addition to and not in substitution for the powers conferred by any other Act whether general, local or special and the said Board of Trustees are authorized and empowered to issue the said bonds notwithstanding anything to the contrary in any other Act, whether general, local or special.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of March, 1937.

(157)

No. 402.

A JOINT RESOLUTION Providing for a Referendum in Anderson County Upon the Question of the Erection of a New Court House for Said County and to Direct the Democratic Executive Committee to Conduct Said Referendum.

Whereas, it is proposed that Anderson County borrow money not exceeding Two Hundred Thousand (\$200,000) Dollars for the purpose of erecting a new Court House upon the public square in the City of Anderson, the said money so borrowed to be repaid over a period of not less than fifteen (15) years, *Provided*, That at least forty (40%) per cent of the cost of the erection of said Court House be paid by the Federal Government; and

Whereas, the members of the General Assembly from Anderson County are desirous of ascertaining the thought of certain people upon the advisability of erecting such Court House, *therefore*

Section 1. Hold referendum on erection of new court house, Anderson County.—Be it resolved by the General Assembly of the State of South Carolina: That the County Democratic Executive Committee of Anderson County is hereby authorized and directed to prepare ballots and submit to certain voters in Anderson County the advisability of the erection of a new Court House by said County upon receiving a grant, of at least forty (40%) per cent of the cost

thereof, from the Federal Government or any of its agencies. Said Court House to cost Anderson County a sum not exceeding Two Hundred Thousand (\$200,000) Dollars.

§ 2. Time—precincts—voters.—That the said question shall be submitted to said voters on Tuesday, March 23, 1937, and in carrying out this referendum, the voting thereon shall be at the regular Democratic voting precincts in said County and the polls shall remain open from eight A. M. until four P. M.. That all persons whose names appear upon the Democratic enrollment books for the election held in August, 1936, and who at the time of this referendum reside in said County, shall be eligible to vote in said election at the voting precinct where such persons were eligible to vote in the 1936 primary. Also any person residing in said County and who is over twenty-one (21) years of age at the time of this referendum and whose name does not appear upon said club roll and who is or has been a member of the Democratic party in this State, shall be eligible to vote at said referendum at the voting precinct in which such person resides; *Provided*, such person at the time of said referendum files a certificate with the managers of the election stating that he is a Democrat and entitled to be a member of the Democratic Party.

§ 3. Appointment of managers, etc.—That in conducting the said referendum, the said Executive Committee shall appoint the managers of the various voting precincts and do such other things and acts as will carry out the purposes and intentions of this Resolution.

§ 4. Carry out like democratic primary.—Except as is herein provided to the contrary, the said referendum shall be carried out as near as practicable as an ordinary Democratic primary election; *Provided*, That if the Committee sees fit, only two managers shall be necessary at those voting precincts deemed advisable by the said Committee.

§ 5. No voting booths.—That in conducting said referendum, there shall be no necessity of providing voting booths as is customary in Democratic primaries.

§ 6. Expenses—appropriation.—That the various items of expense of said election shall conform as near as practicable to the expense usually incurred in Democratic primaries, and there is hereby appropriated out of the general funds of Anderson County the sum of Six Hundred (\$600.00) Dollars to bear such expense, the same to be paid by the Board of Finance of said County upon the written

approval of the Chairman of the County Democratic Executive Committee.

§ 7. **Ballots—voting.**—That at said referendum a sufficient number of ballots shall be furnished the voters therein with the following words plainly written or printed thereon, to wit:

“Are you in favor of Anderson County borrowing money not to exceed Two Hundred Thousand (\$200,000) Dollars, to be paid back over a period of at least fifteen years, to build a new Court House on the public square in the City of Anderson; *Provided*, That at least forty per cent of the cost of said Court House be paid by the Federal Government?

‘Yes’——‘No’

(those in favor of building the Court House will vote ‘Yes’ and scratch the word ‘No’; those against the building of the Court House will vote ‘No’ and scratch the word ‘Yes’ ”

§ 8. **Report result.**—That upon completion of said referendum, the Chairman of the said Committee shall report the outcome of said referendum to the Anderson County Legislative Delegation in the General Assembly with all convenient speed.

§ 9. **Purpose.**—It is the intent and purpose of this Resolution that the outcome of said referendum shall be only information for the members of the General Assembly of South Carolina from said County.

§ 10. This Resolution shall take effect upon its approval by the Governor.

Approved the 12th day of March, 1937.

(119)

No. 403.

AN ACT to Ratify, Confirm and Validate School District No. 8 of Anderson County, State of South Carolina, as a School District.

Section 1. School District No. 8, Anderson County, validated.
—Be it enacted by the General Assembly of the State of South Carolina: That School District No. 8 of Anderson County, State of South Carolina, popularly known as West Pelzer School District, with an area of six and one-fourth square miles as shown by the map thereof made by W. H. Shearer Registered Sur. & C. E., from a survey made September 9, 1935, and recorded in the office of the Clerk of Court for Anderson County, South Carolina, in Plat Book

number twelve (12), at page forty eight (48), is hereby ratified, confirmed and validated as and declared to have and possess all the rights, privileges and powers of a School District under the laws of the State of South Carolina.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of March, 1937.

(8)

No. 404.

AN ACT to Validate and Declare Legal an Election Held in the Town of Honea Path, Anderson County, South Carolina, on the 24th Day of September, 1935, Authorizing the Issuance by Said Town of Honea Path of Its Bonds in the Sum of \$15,097.00, the Proceeds Thereof to be Used for the Purpose of Surface Treating Certain Streets in the Town of Honea Path.

Section 1. Election on issuing bonds improve certain streets validated, town of Honea Path—bonds valid obligations.—Be it enacted by the General Assembly of the State of South Carolina: That the election held on the 24th day of September, 1935, in the Town of Honea Path, Anderson County, South Carolina, authorizing the issuance by said Town of Honea Path of its Bonds in the sum of \$15,097.00, the proceeds thereof to be used for the purpose of surface treating certain streets in the Town of Honea Path, together with all proceedings, acts and doings had with reference to said election, and with reference to the issuance of said bonds, be, and the same are hereby, validated, ratified and declared legal in all respects, and that any bonds issued and to be issued by said Town of Honea Path in pursuance of said election are hereby declared to be valid and legal in all respects as incontestable obligations of the said Town of Honea Path.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of January, 1937.

(9)

No. 405.

AN ACT to Validate and Declare Legal an Election Held in the Town of Honea Path, Anderson County, South Carolina, on the 24th Day of September, 1935, Authorizing the Issuance by Said Town of Honea Path of Its Bonds in the Sum of \$17,707.00, the Proceeds of Said Bonds to be Used for the Purpose of Installing an Addition to the Sewerage System in the Town of Honea Path.

Section 1. Sewer bond election and issue validated, town of Honea Path.—Be it enacted by the General Assembly of the State of South Carolina: That the election held on the 24th day of September, 1935, in the Town of Honea Path, Anderson County, South Carolina, authorizing the issuance by said Town of Honea Path of its Bonds in the sum of \$17,707.00, the proceeds thereof to be used for the purpose of installing an addition to the Sewerage System in the Town of Honea Path, together with all proceedings, acts and doings had with reference to said election, and with reference to the issuance of said bonds, be and the same are hereby validated, ratified and declared legal in all respects, and that any bonds issued and to be issued by said Town of Honea Path in pursuance of said election are hereby declared to be valid and legal in all respects as incontestable obligations of the said Town of Honea Path.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of January, 1937.

(334)

No. 406.

AN ACT to Create a Court House Building Commission for Anderson County; to Provide for the Appointment of the Members Thereof and Prescribe Their Terms of Office; and to Provide for the Filling of Vacancies on Said Commission; to Authorize Said Commission on Behalf of Said County to Demolish the Present Court House and Erect a New Court House Upon Receipt of Certain Gifts or Grants; to Define the Powers and Duties of Said Commission; to Provide for the Payment of Erection of Such Court House and the Equipping of Same From Funds Received From the Issuance and Sale of Bonds, Grants and Gifts; to Authorize the Issuance

of Serial Coupon Bonds of Said County and to Provide for the Payment Thereof and Interest on Same, and Upon Certain Contingencies to Suspend Certain Powers and Authorities of the Supervisor and the Board of Finance of Said County, Under Act No. 1010 of the Acts of the General Assembly of South Carolina, 1936, Relative to the Repair of the Anderson County Court House; to Provide for the Application of Federal Grants in Aid of Carrying Out the Purposes Thereof; and to Provide for the Appointment of Attorneys to Represent Said Commission.

Section 1. Court house building commission for Anderson County—appointment—term—vacancy.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby created a Commission in Anderson County to be known as the "Court House Building Commission for Anderson County", which shall consist of seven (7) members, residents of said county, who shall be named and appointed by the Anderson County Delegation in the General Assembly or a majority of the members thereof. Any person appointed as a member of said Commission shall, within twenty (20) days after the filing of such appointment as hereinafter provided, file in writing with the Clerk of Court of Common Pleas for said county an acceptance of the appointment, and, upon the failure of such appointee so to do, an appointment of someone in his stead shall be made by said Delegation or a majority thereof. That the terms of office of the members of said Commission shall be until March 15, 1940, unless the purposes of this Act shall have been accomplished at an earlier date, in which event the said terms of office shall terminate on such earlier date. That any vacancy existing in the membership of the said Commission by reason of the failure of any of the above named members to file his written acceptance, as above provided for, or by refusing to accept said appointment before the expiration of the twenty-day period above provided for the written acceptance, by death, resignation or otherwise, such vacancy shall be filled by the Anderson County Delegation, or a majority of the members thereof, in the General Assembly at the time of the filing of such vacancy. That, upon the appointment of any member of said Commission, the Secretary of said Delegation shall file with said Clerk of Court a certificate thereof in writing. The certificate and acceptance herein required to be filed in the office of the said Clerk of Court, together with any resignation of members of said Commis-

sion filed with said Clerk of Court, shall be kept by said Clerk of Court as public records in his office.

§ 2. Commission—pay—chairman—majority rule—vacancy.—That the members of said Commission shall serve without pay. The said Commission shall select one of its members as Chairman and such Chairman shall serve without pay. In all matters before the Commission, a majority of its membership shall rule. Upon any member of said Commission removing his residence from Anderson County, his office shall become vacant.

§ 3. Demolish present court house—construct and equip new court house—powers.—That said Commission is created for the purposes of demolishing the present Court House of said County and erecting, constructing, furnishing and equipping a new Court House, to the end that such new Court House will modernly and adequately serve not only the present public needs of said County and the people of said County but also reasonable future public needs; and for such purposes the said Commission may exercise in the name of said County all powers granted to the various Counties in this State relative to the construction of public projects, which are reasonably necessary or advisable in accomplishing the purposes of this Act.

§ 4. Issue bonds.—That in order to accomplish the purposes of this Act, the said Commission is hereby authorized and empowered to issue and sell negotiable coupon bonds of said County, bearing date of January 1, 1937, in the amount or amounts not exceeding Two Hundred Thousand (\$200,000.00) Dollars, the proceeds of such sale or sales, or so much thereof as may be necessary, shall be used by said Commission in accomplishing the purposes of this Act.

§ 5. Bonds—maturities—interest.—That the principal of said bonds shall mature as follows: Twelve Thousand (\$12,000) Dollars on January 1, 1939 and a like amount on the first day of January of each and every year thereafter until the entire amount shall have matured. The principal of and interest on said bonds shall be payable at such place or places as said Commission deems advisable. Said bonds shall bear interest at a rate not exceeding four per cent (4%) per annum, payable semi-annually, on January 1st and July 1st.

§ 6. Bonds—execution.—The said bonds shall be signed in the name of said County by the Chairman of said Commission and at-

tested by the Secretary of the said Commission and the corporate seal of said County shall be affixed thereon, and the coupons attached to said bonds shall bear the facsimile signatures of said Chairman and Secretary.

§ 7. Bonds—exempt from taxes—sale.—The said bonds shall be exempt from all State, County, School and municipal taxes and shall be sold by said Commission in such manner and upon such terms as it deems to be to the best interest of said County, not however in conflict with any of the provisions of this Act.

§ 8. Payment of bonds.—That for the prompt payment of the principal of and interest on said bonds when same become due and payable, the full faith, credit and taxing power of said County are hereby irrevocably pledged and there shall be levied, and the Auditor of said County is hereby directed to levy, annually an *ad valorem* tax upon all taxable property within said County in an amount sufficient to pay the principal of and the interest on said bonds as same become due and payable. That the Treasurer of said County is hereby authorized and directed to collect said tax in like manner as other taxes are collected.

§ 9. Funds and property commission use.—That in order to accomplish the purposes of this Act, the said Commission is authorized and empowered to use the proceeds from the sale of said bonds together with any other funds and property it may acquire in paying the costs and expenses of issuing and selling said bonds and in paying costs and expenses of doing the various things it is herein authorized and empowered to do.

§ 10. Use material and equipment in present court house—grants and gifts—employees—contracts—temporary quarters for county officers.—The said Commission is authorized and empowered to demolish the said present Court House and erect, construct, furnish and equip a new Court House and in so doing it shall utilize as much of the material and equipment in the present Court House as it deems advisable. The said Commission is authorized and empowered to receive and accept on behalf of said County, any gift and/or grant or money and/or any kind of property and/or anything of value from the United States of America and/or from any of its agencies and/or from any sources whatsoever, as aid in accomplishing the purposes of this Act; to appoint and employ an architect, a Secretary, either from its membership or elsewhere, with or without pay, as it deems advisable, and such other officers, agents

and employees, Attorney or agent of said County in carrying out the purposes of this Act and to fix their compensation, to execute and deliver contracts, bills of sales, to sell and dispose of any portion of the present Court House and its equipment, furnishing, etc. as it deems advisable; *Provided* it shall not have power to sell or dispose of the real estate upon which the present Court House is erected. That the said Commission is further authorized and empowered to provide in cooperation with County Officers temporary quarters for the transaction of County and Court businesses during the period of erecting, constructing and equipping and furnishing the new Court House, and it is further authorized and empowered to do all other things reasonably expected to be done in order to accomplish the purposes of this Act.

§ 11. Site of new court house—secure federal assistance—attorneys.—The Court House to be erected and constructed as herein provided shall be at or near the site of the present Court House and shall be on or in the public square in said City.

That, upon approval of this Act by the Governor, the County Attorney of said County, together with the Solicitor of the Tenth Judicial Circuit, are hereby authorized and directed for and on behalf of said County and said Commission to forthwith make and file with the Federal Government, or any of its agencies, application for a grant or grants to aid in carrying out the purposes of this Act. The said County Attorney and Solicitor are further authorized and directed to do such other things as may be necessary in securing financial assistance from the Federal Government or any of its agencies in the erection and construction of said Court House.

That the said Commission in carrying out the purposes of this Act is authorized and directed to employ as its attorneys the County Attorney of said County, and the Solicitor of the Tenth Judicial Circuit, and pay them for their services reasonable and customary fees in such matters: *Provided*, The compensation to said Attorneys for such services shall not exceed Fifteen Hundred (\$1,500.00) Dollars.

§ 12. Grants or gifts receive sell bonds and carry out act.—The bonds herein authorized to be issued and sold shall not be sold and the purposes of this Act shall not be carried out or accomplished until and unless said County becomes the beneficiary of gifts or grants from the United States of America and/or from any of its agencies and/or from any other sources in real estate and/or other

property or things of value and/or all monies, of an aggregate value of at least forty per cent (40%) of the total cost of erecting and constructing said Court House; *Provided, However*, this provision requiring gifts or grants of forty per cent (40%) may be changed and lowered from forty per cent (40%) to thirty-five per cent (35%), upon the written approval of a majority of the members of the Anderson County Delegation in the General Assembly at the time of such change.

§ 13. Repair present court house if can not secure necessary aid.—That, in the event on September 1, 1937, no such grant or aid has been received from the Federal Government, or any of its agencies, or there is no assurance that such will be received, the said Legislative Delegation, or a majority thereof, is hereby authorized and empowered by Resolution to be filed with said Clerk of Court, to dissolve the Commission herein created and, upon so doing, the Supervisor and Board of Finance of said County shall proceed to repair the present Court House under the provisions of Act No. 1010 of the Acts of the General Assembly for South Carolina, 1936, which Act is entitled "An Act to authorize and empower the Supervisor and Board of Finance of Anderson County to borrow", etc. and approved June 3, 1936; that, in the event the purposes of this Act are carried out, the provisions of said Act No. 1010, relative to the repair of the present Court House shall stand suspended and become null and void; *Provided*, That this Act shall in no way affect or change any of the other provisions of said Act No. 1010.

§ 14. Invalidity.—In case any section, sentence, portion or provision of this Act shall be held unconstitutional, such shall not in any way affect any other section, sentence, portion or provision of this Act.

§ 15. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 16. This Act shall take effect upon its approval by the Governor.

° Approved the 17th day of April, 1937.

(570)

No. 407.

AN ACT to Amend an Act Entitled "An Act to Create a Court House Building Commission for Anderson County; to Provide for the Appointment of the Members Thereof and Prescribe Their Terms of Office; and to Provide for the Filling of Vacancies on Said Commission; to Authorize Said Commission on Behalf of Said County to Demolish the Present Court House and Erect a New Court House Upon Receipt of Certain Gifts or Grants; to Define the Powers and Duties of Said Commission; to Provide for the Payment of Erection of Such Court House and the Equipping of Same From Funds Received From the Issuance and Sale of Bonds, Grants and Gifts; to Authorize the Issuance of Serial Coupon Bonds of Said County and to Provide for the Payment Thereof and Interest on Same, and Upon Certain Contingencies to Suspend Certain Powers and Authorities of the Supervisor and the Board of Finance of Said County, Under Act No. 1010 of the Acts of the General Assembly of South Carolina, 1936, Relative to the Repair of the Anderson County Court House; to Provide for the Application of Federal Grants in Aid of Carrying out the Purposes Thereof; and to Provide for the Appointment of Attorneys to Represent Said Commission" of the Acts of the General Assembly of South Carolina, 1937, Approved April 17, 1937, so as to Further Provide for the Abolishment of the Commission Created Therein and to put Into Effect Provisions of Act No. 1010 of the Acts of the General Assembly of South Carolina, 1936, Relative to the Repair of the Anderson County Court House, Approved June 3, 1936.

Section 1. Act 406, 1937 Acts, amended—abolish commission and put in effect act 1010, 1936 Acts, relative to repair of Anderson County court house.—Be it enacted by the General Assembly of the State of South Carolina: That Section 13 of an Act entitled "An Act to Create a Court House Building Commission for Anderson County; To Provide for the Appointment of the Members Thereof and Prescribe their Terms of Office; and To Provide for the Filling of Vacancies on Said Commission; To Authorize Said Commission on Behalf of Said County to Demolish the Present Court House and Erect a New Court House Upon Receipt of Certain Gifts or Grants; To Define the Powers and Duties of Said

Commission; To Provide for the Payment of Erection of Such Court House and the Equipping of Same from Funds Received From the Issuance and Sale of Bonds, Grants and Gifts; To Authorize the Issuance of Serial Coupon Bonds of Said County and to Provide for the Payment thereof and Interest on Same and upon Certain Contingencies to Suspend Certain Powers and Authorities of the Supervisor and the Board of Finance of Said County, Under Act No. 1010 of the Acts of the General Assembly of South Carolina, 1936, Relative to the Repair of the Anderson County Court House; To Provide for the Application of Federal Grants in Aid of Carrying Out the Purposes Thereof; and To Provide for the Appointment of Attorneys to Represent said Commission", of the Acts of the General Assembly of South Carolina, 1937, approved April 17, 1937, be, and the same is, hereby amended by inserting between the word "on" and the word "September" on line 1 of said Section the words "or before"; and by adding at the end of said Section 13 the following: "*Provided, Further, That, upon such Resolution being filed as above in this Section provided, all of the provisions of said Act No. 1010 of the Acts of the General Assembly of South Carolina, 1936 affected by the provisions of this Act shall immediately become operative and shall cease to stand suspended in like manner as if this Act had not been enacted*", so that said Section 13, when so amended, shall read as follows:

"Section 13: That, in the event on or before September 1, 1937, no such grant or aid has been received from the Federal Government or any of its agencies, or there is no assurance that such will be received, the said Legislative Delegation, or a majority thereof, is hereby authorized and empowered by Resolution to be filed with said Clerk of Court, to dissolve the Commission herein created and, upon so doing, the Supervisor and Board of Finance of said County shall proceed to repair the present Court House under the provisions of Act No. 1010 of the Acts of the General Assembly for South Carolina, 1936, which Act is entitled "An Act to authorize and empower the Supervisor and Board of Finance of Anderson County to borrow", and approved June 3, 1936; that, in the event the purposes of this Act are carried out, the provisions of said Act No. 1010, relative to the repair of the present Court House shall stand suspended and become null and void; *Provided, That this Act shall in no way affect or change any of the other provisions of said Act No. 1010; Provided, Further, That, upon such Resolution being*

filed as above in this Section provided, all of the provisions of said Act No. 1010 of the Acts of the General Assembly of South Carolina, 1936, affected by the provisions of this Act shall immediately become operative and shall cease to stand suspended in like manner as if this Act had not been enacted."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 14th day of May, 1937.

(27)

No. 408.

AN ACT to Provide for the Levy of Taxes for County Purposes for Bamberg County for the Fiscal Year Beginning January 1, 1937, and the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of not exceeding five (5) mills, if so much be necessary, to be determined by the County Auditor, is hereby levied on all taxable property in the County of Bamberg, for ordinary purposes, for the fiscal year beginning January 1, 1937, the same to be expended in the amounts and for the purposes hereinafter stated, that is to say:

Item 1. Roads and Bridges:

Convicts and maintenances of road
working organizations\$ 12,500.00

Provided, That all funds derived
by said County from the gaso-
line tax shall be used towards
the payment of this item and
not in addition thereto.

For maintenance of roads for last
part of 1936 1,500.00

Total, Item 1. 14,000.00

Item 2. Salaries:

Clerk of Court 300.00
Sheriff 1,200.00
Deputy Sheriff 1,100.00

Treasurer	666.67	
Auditor	666.67	
Superintendent of Education	1,350.00	
Attorney	100.00	
Physician	175.00	
Coroner	125.00	
Janitor at Court House	200.00	
Jailor	200.00	
Supervisor	1,200.00	
2 County Commissioners at \$200.00 each	400.00	
Clerk of Board of County Com- missioners	360.00	
Magistrates and Constables	2,298.00	
Total Item 2.		10,341.34
Item 3. County Boards:		
Board of Education	60.00	
Board of Equalization	400.00	
Total Item 3		460.00
Item 4 Jail expenses including dieting of prisoners:		
Jailor to be allowed thirty-five cents per day for each prisoner	1,000.00	
Total Item 4		1,000.00
Item 5. Court Expenses:	2,100.00	
Total Item 5.		2,100.00
Item 6. Poor	1,800.00	
Total Item 6.		1,800.00
Item 7. Post Mortems, Inquests and Lunacy	100.00	
<i>Provided, That no part of this</i>		
<i>Item be used for paying the ex-</i>		
<i>penses of conveying persons to</i>		

the State Hospital for the insane.

Total Item 7	100.00
Item 8. Public Buildings, including water, fuel, lights and insurance	400.00
Total Item 8	400.00
Item 9. Printing, postage and stationery	1,000.00
Total Item 9	1,000.00
<i>Provided, That itemized bills for all expenditures out of this sum be filed with the County Su- pervisor before payment is made.</i>	
Item 10. Miscellaneous:	
(a) Rent for Farm Demonstration Agent	96.00
(b) Rent for Home Demonstration Agent	60.00
(c) Rent for Health Unit	96.00
(d) Rent for Colored Farm Demon- stration Agent	36.00
(e) Vital Statistics	195.75
(f) Premium on bonds	600.00
(g) Travel expense Superintendent of Education	350.00
(h) Travel expense, Sheriff and Deputy	400.00
(i) Travel expense of Supervisor ..	300.00
(j) Clerical help, Auditor's office ...	240.00
(k) Clerical help, Treasurer's office..	100.00
(l) Clerical help, Clerk of Court's office	150.00
(m) Expense of constables conveying prisoners (Constables' salaries being in lieu of all expenses other than this)	150.00

(n) Travel expense of Solicitor attending inquests in County ..	50.00	
(o) For tuberculosis work in County.	100.00	
(p) Typewriter for Clerk of Court's office	125.00	
(q) For auditing accounts for the year 1936	200.00	
(r) For purchase of new tractor for Supervisor	1,600.00	
(s) For purchase of two new trucks for Supervisor	2,026.00	
(t) Filing case for Probate Judge' office	50.00	
(u) Boy's 4-H work	50.00	
(v) Girls' and Women 4-H Work ..	75.00	
(w) For purchasing materials for use in, and for general operating expenses of plant for manufacturing concrete bridge material	2,000.00	
Total Item 10.		9,049.75
Item 11. Contingent fund	3,000.00	
Total Item 11.		3,000.00
Grand Total		43,251.09

§ 2. The commutation road tax shall be considered as a part of the revenue of the county for road purposes, and it is not to be expended in addition to the amount appropriated in Item 1 of this Act.

§ 3. That the amount provided for herein for the several purposes shall be expended for the purpose stated and none other and any unexpended balance in hand at the expiration of the fiscal year 1937 shall revert to the general funds of the County.

§ 4. Not more than one-twelfth of the amount appropriated under Item 1 of this Act shall be expended or obligated in any one calendar month, without the written consent of the Legislative Delegation.

§ 5. The appropriation for the contingent fund is to make up for any deficiency in the appropriation of any other item, or to cover any contingency that may arise, and is not to be expended without the written consent and authority of the Legislative Delegation.

§ 6. No expense allowance under this Act shall be paid out in bulk, but is to be for actual expenses incurred in official business, and the Supervisor is hereby required to demand and retain proper itemized vouchers for each such expenditure. Constables shall be allowed one (\$1.00) dollar per day, and five cents per mile for actual travel expenses for conveying prisoners to jail.

§ 7. Hereafter the statement of expenditures shall not be published in the newspapers, but monthly statements shall be furnished each member of the Legislative Delegation, and published on the bulletin board at the Court House.

§ 8. It shall be unlawful for the County Supervisor or Board of Commissioners to make any contracts to purchase or to make purchases for an amount exceeding five hundred (\$500.00) Dollars without the written consent of the Legislative Delegation.

§ 9. Any expense incurred by reason of the failure of any officer of the county to perform the duties of his office, as required by law, shall be deducted from the salary of the officer so failing to perform his duty.

§ 10. No warrant shall be issued to pay any magistrate and his constables until the end of each month, and until such magistrate has filed his report of the proceedings in his court.

§ 11. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 12. That this Act shall take effect upon its approval by the Governor.

Approved the 5th day of February, 1937.

(23)

No. 409.

AN ACT Authorizing the County Commissioners of Bamberg County to Use Certain Funds in Supplementing Federal Aid for the Construction and Repair of the County Jail.

Section 1. Funds use supplement federal aid in construction and repair of jail, Bamberg County.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Commissioners of Bamberg County is hereby authorized and di-

rected to use from any available funds a sum not exceeding Twenty-Eight Hundred (\$2,800.00) Dollars for the purpose of supplementing Federal Aid in the construction and repair of the Bamberg County Jail. *Provided*, That no part of the said sum of money shall be expended without the consent and approval of the Legislative Delegation of said County.

§ 2. This Act shall take effect upon its approval by the Governor.
Approved the 5th day of February, 1937.

(64)

No. 410.

AN ACT to Authorize and Direct the County Board of Commissioners of Bamberg County Upon the Written Consent of the Legislative Delegation to Use Available Funds to Supplement Certain Funds in Constructing and Repairing the County Jail.

Section 1. Legislative delegation supplement federal aid in constructing and repairing county jail, Bamberg County.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Commissioners of Bamberg County, South Carolina, upon the written consent of the Legislative Delegation, is hereby authorized and directed to use from any available funds the sum of not exceeding Two Thousand (\$2,000.00) Dollars for the purpose of supplementing Federal aid in the construction and repair of the County Jail.

§ 2. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(94)

No. 411.

AN ACT to Declare a Closed Season for Hunting Deer in Bamberg County Until January 1, 1942, and to Provide Penalties for the Violation Hereof.

Section 1. Not hunt deer until January 1, 1942, Bamberg County.—Be it enacted by the General Assembly of the State of South Carolina: That for a period beginning with the date of the approval of this Act, and ending January 1, 1942, it shall be unlawful for any person to shoot, chase, catch, trap or kill any deer in the

County of Bamberg. Any violation of this Act shall be punishable by a fine of not more than One Hundred (\$100.00) Dollars, or imprisonment for not more than thirty (30) days in the discretion of the Court.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall become effective upon its approval by the Governor.

Approved the 25th day of February, 1937.

(414)

No. 412.

AN ACT to Provide for the Levy of Taxes in Bamberg County and for Use of the Proceeds on Outstanding School Indebtedness of the County Along with Other Income of the County Board of Education.

Section 1. One-half mill tax levy, Bamberg County.—Be it enacted by the General Assembly of the State of South Carolina: That each year hereafter the County Auditor of Bamberg County shall levy, and the County Treasurer shall collect, a tax on all property of the county of one-half mill.

§ 2. **Use of proceeds.**—That the Treasurer shall apply the proceeds of the said levy upon the request of the County Board of Education on a note for outstanding school indebtedness of the County.

§ 3. **Other funds use pay outstanding school indebtedness.**—That all other income of the County Board of Education, except earmarked funds received by it from the State Department of Education, and except the sum of two hundred dollars, shall also be applied on the said note for outstanding school indebtedness until the said note is fully paid.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(142)

No. 413.

AN ACT to Authorize and Direct the Trustees of Ehrhardt School District Number 22, in Bamberg County, to Issue Bonds in the Sum of Ten Thousand Five Hundred Dollars for the Purpose of Refunding Other Bonds of Said District and to Provide for the Payment Thereof at Maturity.

Section 1. Ehrhardt School District No. 22, Bamberg County, issue bonds pay bonded debt.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Ehrhardt School District Number 22, Bamberg County, South Carolina, are hereby authorized, empowered and directed to issue bonds in the name of said school district in the aggregate amount of Ten Thousand Five Hundred (\$10,500.00) Dollars, for the purpose of refunding or paying off bonds for a like amount heretofore issued by said school district, which are now outstanding.

§ 2. Denominations—interest—maturities.—Said bonds, authorized and directed to be issued as aforesaid, shall be in form negotiable bonds of such denominations as said Trustees may determine, shall bear such date and rate of interest, not exceeding four and one-half ($4\frac{1}{2}$) per cent. per annum, payable annually or semi-annually as the said Trustees may determine, and shall mature at such time or times as may be fixed by said Trustees, both principal and interest to be payable at such place as they may determine.

§ 3. Execution.—Said bonds shall be signed by said Trustees in the name of Ehrhardt School District Number 22, Bamberg County, South Carolina, but the interest coupons attached thereto need not be authenticated otherwise than by their facsimile signatures. lithographed or engraved thereon.

§ 4. Sale—exchange—deposit and disbursement of proceeds.—Said bonds, or any portion thereof, shall be sold at such time, at private or public sale, after notice, as said Trustees may determine; and the proceeds derived from any such sale shall be deposited with the Treasurer of Bamberg County and by him disbursed upon the order of said Trustees for the purpose stated in Section 1 herein; *Provided, However,* Said Trustees shall have the right and are hereby authorized and empowered, in their discretion to exchange any of said bonds with the holders of the bonds of said district now outstanding, on such terms as said Trustees may deem advantageous for said school district.

§ 5. **Valid obligations.**—Said bonds, when sold or exchanged and delivered, as aforesaid, shall be valid and incontestable obligations of Ehrhardt School District Number 22, Bamberg County, South Carolina, and shall be exempt from all State, County, School, and Municipal taxes.

§ 6. **Payment.**—There shall be levied and collected annually by the Auditor and Treasurer of Bamberg County, respectively, an annual tax upon all the taxable property in said Ehrhardt School District Number 22, Bamberg County, South Carolina, sufficient to pay the principal of said bonds and the interest thereon as they mature respectively.

§ 7. This Act shall take effect upon its approval by the Governor.
Approved the 10th day of March, 1937.

(109)

No. 414.

AN ACT to Authorize and Direct the Trustees of Olar School District Number 8, in Bamberg County, to Issue Bonds in the Sum of Twenty-one Thousand Dollars for the Purpose of Refunding Other Bonds of Said District and to Provide for the Payment Thereof at Maturity.

Section 1. Olar School District No. 8, Bamberg County, issue bonds refund other bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Olar School District Number 8, Bamberg County, South Carolina, are hereby authorized, empowered and directed to issue bonds in the name of said school district in the aggregate amount of Twenty-one Thousand (\$21,000.00) Dollars, for the purpose of refunding or paying off bonds for a like amount heretofore issued by said school district, which are now outstanding.

§ 2. **Denominations—interest—maturities.**—Said bonds, authorized and directed to be issued as aforesaid, shall be in form negotiable bonds of such denominations as said Trustees may determine, shall bear such date and rate of interest, not exceeding four and one-half ($4\frac{1}{2}$) per cent. per annum, payable annually or semi-annually as the said Trustees may determine, and shall mature at such time or times as may be fixed by said Trustees, both principal and interest to be payable at such place as they may determine.

§ 3. **Execution.**—Said bonds shall be signed by said Trustees in the name of Olar School District Number 8, Bamberg County,

South Carolina, but the interest coupons attached thereto need be authenticated otherwise than by their facsimile signatures lithographed or engraved thereon.

§ 4. Sale—exchange—deposit and disbursement of proceeds.—Said bonds, or any portion thereof, shall be sold at such time, at private or public sale, after notice, as said Trustees may determine; and the proceeds derived from any such sale shall be deposited with the Treasurer of Bamberg County and by him disbursed upon the order of said Trustees for the purpose stated in Section 1 herein: *Provided, However,* said Trustees shall have the right and are hereby authorized and empowered, in their discretion, to exchange any of said bonds with the holders of the bonds of said district now outstanding, or such terms as said Trustees may deem advantageous for said School District.

§ 5. Valid obligations—tax exempt.—Said bonds, when sold or exchanged and delivered, as aforesaid, shall be valid and incontestable obligations of Olar School District Number 8, Bamberg County, South Carolina, and shall be exempt from all State, County, School and Municipal taxes.

§ 6. Payment.—There shall be levied and collected annually by the Auditor and Treasurer of Bamberg County, respectively, an annual tax upon all the taxable property in said Olar School District Number 8, Bamberg County, South Carolina, sufficient to pay the principal of said bonds and the interest thereon as they mature respectively.

§ 7. This Act shall take effect upon its approval by the Governor.
Approved the 25th day of February, 1937.

(573)

No. 415.

AN ACT to Provide for the Levy of Taxes for Ordinary County Purposes of Barnwell County for the Fiscal Year Beginning July 1, 1937, and Ending June 30, 1938, and for the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the County Auditor of Barnwell County is hereby directed to levy a tax on all the taxable property of the County of Barnwell for county purposes for the fiscal year beginning July 1, 1937, and ending June 30, 1938, sufficient to pay the following appropriations:

Item 1. Roads and Bridges:

Convicts and maintenance of road
working organization\$ 15,000.00

\$ 15,000.00

Item 2. Clerk of Court's Office:

Salary of Clerk of Court 500.00
Salary of Assistant Clerk 400.00
Supplies, Material, Supervision,
and so forth, in connection with
indexing all the records of the
office of Clerk of Court 850.00

\$ 1,750.00

Provided, That the fee that may be charged by the Clerk of Court for Barnwell County for the recording, filing, indexing and/or registering of any mortgages or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be fifty cents (50¢): *Provided*, That a copy

or duplicate of such instrument be furnished to the recording officer. That Barnwell County is specifically excepted from the provisions of Section 3630 and Section 3637, Volume 2, Code of Laws of South Carolina, 1932. *Provided, Further,* That in addition to the fee hereinabove fixed for recording chattel mortgages, the Clerk of Court may charge an additional fee of twenty-five (25¢) cents when he is required to search the records before recording any such mortgage.

Item 3. Sheriff's Office:

Salary of Sheriff	\$ 1,800.00
Expenses for Sheriff, 1937-38	
Law enforcement	500.00
Salary of Deputy Sheriff	1,200.00
Salary of Clerk	400.00

\$ 3,900.00

Provided, That the Deputy Sheriff is to be employed by the Sheriff.

Item 4. Treasurer's Office:

Salary of Treasurer	766.66
Salary of Clerk	840.00

\$ 1,606.66

Item 5. Auditor's Office:

Salary of Auditor	766.66
Traveling expenses of Auditor ..	100.00
Salary of Clerk	300.00

1,166.66

Item 6. Board of Education:

Salary of Superintendent of Education	1,600.00
County Board meetings	150.00

1,750.00

Provided, That there shall be no age limit for school-teachers in Barnwell County.

Item 7. Judge of Probate's Office:

Salary of Judge of Probate	400.00
Salary of Clerk	400.00
For Pension Disbursements	175.00

975.00

Item 8. Coroner's Office:

Salary of Coroner	300.00
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300.00

Provided, That the Coroner of Barnwell County shall be permitted, as a part of his compensation, to use the home now occupied by him and owned by the County, and known as the home for the Superintendent of the Poor House.

Item 9. County Board of Managers:

Salary of Supervisor of Roads ..	1,700.00
Salaries of County Managers, six (6) at \$200.00 each	1,200.00
Salary of Clerk	840.00
Printing, Postage and Stationery	1,750.00
Contribution to the poor and needy of Barnwell County to be expended under the direction of the County Board of Managers	2,400.00

7,850.00

Provided, That the item for printing, postage and stationery shall, by the County Board of Managers be apportioned in the various offices in Barnwell County entitled to use said fund on a basis of the ratio hereinbefore used, and no office or offices shall be allowed to use during the current year an amount in excess of the sum so apportioned by the said County Board of Managers.

Provided, Further, That hereafter the various dwellings on the poor house farm shall be used by the County Board of Managers in connection with the Aid to the poor in Barnwell County.

And, Provided, That the farm lands owned by the County and operated as the Poor House Farm shall be used by the County Board of Managers in its discretion for the growing of food-stuffs for use by the County Chaingang, or for distribution among the poor of Barnwell County.

Item 10. Magistrates and Constables:

Magistrate at Barnwell	600.00
Constable at Barnwell.....	550.00
Magistrate at Blackville.....	425.00
Constable at Blackville.....	400.00
Magistrate at Williston.....	425.00
Constable at Williston.....	400.00
Magistrate at Four-Mile.....	500.00
Constable at Four-Mile	400.00
Magistrate at Hilda.....	250.00
Constable at Hilda	200.00

Magistrate at Dunbarton.....	300.00
Constable at Dunbarton.....	300.00
Magistrate at Red Oak.....	200.00
Constable at Red Oak.....	200.00
Magistrate at Great Cypress.....	400.00
Constable at Great Cypress.....	300.00

\$ 5,850.00

Provided, That in case of a vacancy by death, resignation or otherwise, the salary approved for Magistrate in any district shall only be paid to a successor recommended by the Senator and members of the House Delegation from Barnwell County.

Provided, Further, That no warrant shall be issued to pay any Magistrate and his Constable until at the end of each month and such Magistrate has filed his report of the proceedings in his Court.

Item 11. County Jail:

Jail Expenses, including dieting of prisoners.....	2,000.00
Repairs to County Jail	300.00

2,300.00

Provided, That the Sheriff shall be allowed the sum of forty-five (45¢) cents per day for dieting of each prisoner.

Item 12. Court Expenses:

Court Expenses	3,000.00
For Solicitor of Second Judicial Circuit on account of expenses incurred in attending inquests, consultations with County of-	

ficials, etc., in the discharge of
 his official duties in Barnwell
 County 100.00

3,100.00

Item 13. County Service Office:

Salary of County Service Officer 500.00

500.00

*Provided, Said Service Officer is
 appointed by a majority of the
 Legislative Delegation from
 Barnwell County after consulta-
 tion with the Post Commander
 of each of the American Legion
 Posts in Barnwell County.*

Item 14. Health Work:

Salary of County Physician..... 420.00
 Salary of Clerk in County Health
 Office 600.00
 Supplies, equipment, telephone, in-
 cidentals, medicine, etc., to be
 expended by the County Health
 Nurse on vouchers..... 600.00
 Vital Statistics 171.25

1,791.25

Item 15. Public Buildings, including water,
 fuel, light and insurance.....

1,500.00

\$ 1,500.00

Item 16. Farm and Home Demonstration
 Work:

Home Demonstration work, Short
 Course 75.00
 County Agent's Work:

Light and Janitor Service Agricultural building.....	150.00	
4-H Club	35.00	
		260.00
Item 17. Miscellaneous :		
Premium on Bonds.....	625.00	
County Audit.....	300.00	
Post Mortems, Inquests and Lunacy	300.00	
Rents for Federal Agencies.....	750.00	
County Attorney.....	150.00	
Board of Registration.....	300.00	
Board of Equalization, \$3.00 per day	380.00	
Miscellaneous Contingent Fund..	2,500.00	
		5,305.00
GRAND TOTAL		\$ 54,944.57
Less estimated revenues other than taxes :		
Fines and Licenses.....	1,500.00	
Commutation Tax.....	5,000.00	
Gasoline Tax (one cent).....	16,500.00	
Insurance Licenses	1,700.00	
Liquor Tax	4,000.00	
		28,700.00
Amount to be raised by taxation..		\$ 26,244.57

§ 2. The contingent fund herein created shall be spent only upon the written approval of the Legislative Delegation, after being first approved by the County Board of Managers.

§ 3. The Coroner and County Physician shall attend and conduct all inquests held in the County; the County Physician and the Physician to the poor shall constitute the Board of Physician to examine into all cases of lunacy and shall do so without charge to the County.

§ 4. The Board of County Managers shall publish a quarterly statement showing all claims paid in each township, and the County-wide claims, giving amount and subject in each claim.

§ 5. No claim shall be approved or warrant issued therefor unless said claims be itemized and sworn to.

§ 6. *Provided*, That the end of the fiscal year 1936-37 the County Treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account, and if the surpluses are not sufficient to cover the deficits the Treasurer is authorized and directed to charge said deficit against any surplus funds in hand, upon the written authority of the Legislative Delegation.

§ 7. In anticipation of the collection of taxes herein provided for, the Board of County Managers and the Treasurer are authorized and empowered to borrow, on the credit of the County, such sums as are necessary to carry out the provisions of this Act, and to pledge current taxes in payment therefor. Such obligations shall be signed by the Treasurer and the Chairman of the Board of County Managers, attested by the Clerk of such Board.

§ 8. A law with reference to age limit of school teachers in Barnwell County is hereby repealed.

§ 9. No election of teachers shall be had by any Board of Trustees in Barnwell County until the first day of May, 1938.

§ 10. That no lunatics shall hereafter be confined or committed to the County jail except for a period not exceeding five days awaiting transfer to the State Hospital; and the Probate Judge shall make no charge for any lunacy proceedings held unless the lunatic in question shall actually be committed to the State Hospital.

§ 11. The expense account of Five Hundred (\$500.00) Dollars allowed for the Sheriff herein shall cover all expenses for apprehension and transporting of prisoners within the State during the period for which this appropriation is made.

§ 12. *Provided*, That in levying taxes necessary to provide for the appropriations herein made, the County Auditor shall include a sufficient levy to pay the contributions for forestry work in Barnwell County as provided in the Act of 1935.

§ 13. This Act shall take effect immediately upon its approval by the Governor.

Approved the 14th day of May, 1937.

(537)

No. 416.

AN ACT to Authorize the Board of County Managers of Barnwell County to Borrow the Sum of Not Exceeding Five Thousand (\$5,000.00) Dollars for the Purpose of Paying Obligations Incurred in the Purchase of Road Machinery for Use on the Highways of Barnwell County, South Carolina, and to Authorize Said County Board of Managers to Purchase Certain Tract of Land or Lands for a Way-side Camp to be Established by the Federal or State Government, and to Provide for the Borrowing of Not Exceeding Three Thousand (\$3,000.00) Dollars for This Purpose; and to Provide for the Repayment of the Same.

Section 1. Barnwell County borrow.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Managers of Barnwell County, State of South Carolina, be, and it is hereby, authorized, empowered, and directed to borrow not exceeding eight thousand (\$8,000.00) Dollars, at a rate of interest not exceeding four (4%) per centum per annum, and to deposit the proceeds thereof with the County Treasurer of said County to the credit of the County Treasurer of said County, to be paid out on proper warrants of the said Board of County Managers.

§ 2. Issue notes.—That the loan provided for in the foregoing Section shall be evidenced by eight (8) serial negotiable promissory notes of the said County, of equal amounts, payable, one, two, three, four, five, six, seven and eight years from date, to be executed by the chairman of the County Board of Managers and County Treasurer of Barnwell County, South Carolina, and the full faith, credit and taxing power of the said Barnwell County are hereby pledged to the payment of interest and principal of said notes as the same become due and payable. Said notes to provide for the payment of a reasonable attorney's fee of not exceeding ten per centum of the amount due, in case of suit or collection by an attorney.

§ 3. Use funds pay road machinery notes and purchase lands for wayside camp.—That the County Board of Managers of Barnwell County are hereby authorized and directed to use the sum of five thousand seventy (\$5,070.00) dollars of said funds so borrowed for the purpose of paying any outstanding note or notes heretofore issued for the purpose of paying for road machinery heretofore purchased; and that the said Board of Managers be, and it is hereby, authorized and directed, in its discretion, to use the sum of not ex-

ceeding twenty-eight hundred (\$2,800.00) dollars for the purchase of certain lands at or near Whaley Mill site in Barnwell County, and to deed the same to the Federal or State Government, for the purpose of the construction of a Wayside Camp for recreational purposes.

§ 4. **Payment.**—That in order to provide for the payment of said notes and interest on the same, there is hereby levied upon all taxable property in said County an annual tax levy sufficient to pay all interest and to retire said notes as they become due and payable; and it shall be the duty of the County Auditor of said County to levy and enter upon the tax duplicates each year the tax as provided herein, and it shall be the duty of the County Treasurer of said County to collect annually the tax so levied, as other taxes are collected, and credit the proceeds to the general fund of said County, and to pay out of said fund all interest accruing on said notes; and to pay the said notes when they become due and payable, until all of said eight notes, together with interest shall be paid in full.

§ 5. That this Act shall take effect immediately upon its approval by the Governor.

Approved the 13th day of May, 1937.

(597)

No. 417.

A JOINT RESOLUTION Providing for the Necessary Expenditures of Beaufort County for the First Six months of the Year 1937.

Whereas, it is to the advantage of the government of Beaufort County for the fiscal year of the County to begin on July 1st and end on June 30th; and

Whereas, by Statute the fiscal year of Beaufort County has been changed so as to begin on July 1st and end on June 30th, thus rendering it necessary, in order to accomplish this change in an orderly way, for provision to be made for the operation of the County Government and other County activities from January 1, 1937, to June 30, 1937, a period of six months, *Now, Therefore*,

Section 1. Appropriations in act 1022, 1936 Acts, extended to July 1, 1937, Beaufort County.—Be it resolved by the General Assembly of the State of South Carolina: That the appropriations made in Act No. 1022, Acts of 1936, being the Beaufort County Sup-

ply Act of 1936, are hereby extended for an additional six months so as to be effective for the period beginning January 1, 1937 and ending June 30, 1937. It is the intention of this Resolution to effectively provide for the necessary expenditures of the county for the first six months of 1937 on the same basis and scale as was provided for the calendar year 1936.

§ 2. Income use.—So much of the County income as may be collected during the said six months period from the gasoline tax, from fines, from Insurance Commissioner's office, from the beer and wine tax, and from other miscellaneous sources, not including property tax, shall go into the General Fund of the County and be used for the purposes above set forth.

§ 3. Borrow.—The County Treasurer and the County Supervisor are hereby authorized and directed to borrow a sufficient sum to carry out the provisions of this Act, and to provide the balance of the funds necessary for the expenses herein authorized. The County Treasurer and the County Supervisor are authorized and directed to pledge as security for said loan, or loans, any uncollected past due taxes of Beaufort County, and to pledge also the full faith, and credit, and taxing power of the County for the payment of said loan or loans.

§ 4. Pay loans made for current operating expenses.—The County Treasurer and the County Supervisor are hereby authorized and directed to use such cash as may be on hand from the 1936 or prior tax collections for repayment of loans made for current operating expenses of the County. Should such amounts be insufficient, the County Treasurer and the County Supervisor are authorized and directed to pay the balance of said loans in full from the proceeds of the loan herein authorized. It is the intention of this Section to effectively provide that all loans now made in anticipation of the collection of 1937 taxes, or in anticipation of the customary general loan of the County for borrowing purposes shall be completely retired in full, so that on July 1, 1937 there shall be no existing indebtedness for current expenses.

§ 5. Powers of legislative delegation.—In order that any unforeseen difficulty in administering this change of the fiscal year of Beaufort County may be provided for, authority is hereby expressly given the Legislative Delegation of Beaufort County to make such changes in the allocation of funds, or in the general administration of the County finances as may to them appear necessary, reasonable, or convenient for carrying out the provisions of this Resolution.

§ 6. This Resolution shall take effect upon its approval by the Governor.

Approved the 15th day of May, 1937.

(662)

No. 418.

AN ACT to Provide for the Levy of Taxes for County, School and Other Purposes, for the Year 1937-1938 and Direct the Expenditure Thereof in Beaufort County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax is hereby levied upon all the taxable property of Beaufort County for county, school and other purposes for the fiscal year commencing July 1, 1937, for the amounts and for the purposes hereinafter stated, respectively, that is to say:

§ 2. For the County of Beaufort for all ordinary purposes eight (8) mills to be expended as follows, if so much be necessary:

Item 1. Roads and Bridges\$ 17,000.00

Total Item 1	\$ 17,000.00
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Provided, However, That so much of the appropriation hereinabove made for roads and bridges as may be necessary shall be used for the payment of any unpaid bills and claims for road equipment, etc., heretofore authorized to be purchased and for which payment has not been made, any new equipment and to pay the salary of the clerk to the county board.

Item 2. Salaries:

Clerk of Court	\$ 840.00
Clerk to Clerk of Court	315.00
Sheriff	1,890.00
Clerk to Sheriff	630.00
Two (2) Deputy Sheriffs @ \$157-	
.50 per month each	3,780.00
Jailor	1,050.00

Treasurer	840.00
Clerk to Treasurer	210.00
Auditor	840.00
Clerk to Auditor	210.00
Attorney	150.00
Coroner	315.00
Supervisor	2,205.00
Chairman, County Board of Directors	210.00
Five (5) County Board of Directors @ \$157.10 each	787.50
Janitor to Courthouse.....	600.00

Provided, That the members of the County Board of Directors shall be allowed a mileage of four (4c) cents per mile for actual distance traveled in attendance of meetings of the said Board; said Directors shall file a statement with the Clerk of the Board showing the mileage traveled back and forth from their residence to the Court House or other designated places of such meetings and, that in addition to the said expenses of mileage, shall receive actual expenses not exceeding two and no/100 (\$2.00) dollars for every day in attendance of such meetings of the said Board; that expenditures herein authorized shall be paid from the miscellaneous contingent fund, on presentation of itemized verified statements of the same.

Judge of Probate	315.00
Constable on Hilton Head Island	100.00
Constable on St. Helena Island..	150.00

Magistrates	2,660.00	
Constable Daufauskee Is'and \$4,- .00 per month	48.00	
Total Item 2.		\$ 18,145.50
Item 3. County Board:		
Health Unit	3,600.00	
<i>Provided</i> , That there shall be em- ployed for Beaufort County a Health Officer, two (2) Nurses, One (1) Sanitary Inspector and one (1) Clerk		
Board of Registration	100.00	
County Board of Equalization and- Township Board of Assessors	100.00	
To pay indebtedness to the Cathe- rine Devaux Hospital, if so much be necessary	200.00	
To pay salary of colored Nurse from _____ to _____ if so much be necessary.....	100.00	
Total Item 3.		4,100.00
Item 4. Jail Expenses		
Jail expenses including dieting of prisoners	1,200.00	
<i>Provided</i> , That the Jailor shall diet all prisoners in his care at cost. Said cost shall not exceed twenty-five (25c) cents per day for each prisoner. All accounts for the dieting of prisoners shall be presented, duly attested, to the Board of County Directors, and by them audited, allowed or rejected.		
Total Item 4.		\$ 1,200.00

Item 5.	Jurors and Witnesses.....	2,800.00	
	Total Item 5		2,800.00
Item 6.	County Home, Poor House and Poor	2,700.00	
	<i>Provided</i> that \$300.00 of the above appropriation be made available to the County Cooperative Relief Committee for the purpose of hospitalization needs during the fiscal year beginning July 1, 1937. The remaining amount of \$2,400.00 shall be disbursed by the said County Board at and by the direction of the Legislative Delegation.		
	Total Item 6.		2,700.00
Item 7.	Post Mortems, Inquest and Lunacy	540.00	
	Total Item 7.		540.00
Item 8.	Public Buildings, including water, fuel, light and insurance	540.00	
	Past due insurance to Sinking Fund Commission	146.82	
	Total Item 8.		686.82
Item 9.	Printing postage and Stationery..	1,000.00	
	Total Item 9.		\$ 1,000.00
Item 10.	Contingent Fund:		
	Confederate Pensioners	700.00	
	To be distributed as follows: To each surviving widow of a deceased Confederate Veteran the sum of \$100.00 a year payable by the County Board of Di-		

rectors on or about July 1, of each year and in the event of the death of a widow of a Confederate Veteran after the first year and before receipt of the pension herein provided the County Board of Directors is authorized and empowered to pay said pension to the executor or administrator of her estate.	
Burial of Paupers and other authorized expenses	200.00
Transportation of insane as authorized	100.00
Expenses and travel, members County Board of Directors attending meetings, etc.....	400.00
New Record books and binding books, office-clerk of court.....	250.00
Premium on bonds of County officials as authorized by statute..	600.00
Miscellaneous Contingent Fund..	850.00
The County Board of Directors is authorized and empowered to pay to the Beaufort Post of the American Legion three hundred (\$300.00) dollars to aid in payment of stamps, stationery, etc., in aid of Beaufort County Veterans of all wars securing pensions and benefits.....	
For Assistance—WPA Sewing Room	200.00
For expenses of travel of County Auditor in connection with securing information for purpose of making assessments.....	100.00
The appropriation authorized above, to be paid to others than county officers, shall be paid to the person or persons authorized	

to receive the same, and at the expiration of the year such person or persons shall file with the County Treasurer, sworn, itemized statements of all such expenditures so made from such fund or funds.

Total Item 10.....	\$, 3,700.00
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Item 10A—Vital Statistics	308.00
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Total Item 10-A.	308.00
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Item 11. Deputy Sheriffs:

Deputy Sheriff's expenses \$50.00 each	1,200.00
Special Deputy Sheriff.....	1,200.00

The Sheriff is empowered, if and when needed, to employ such additional Deputy as he may deem needed at a salary of not more than \$100.00 per month which salary shall include all expenses, etc. This may be terminated at any time by the Legislative Delegation.

Rents Beaufort County Emergency Relief Administration July 1, 1937 to June 30, 1938, if so much be necessary.....	1,160.00
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Provided, That so much of the above appropriation as may be necessary shall be used to pay any unpaid rentals previously authorized hereinabove. *Provided, Further*, The County Board shall use so much of the above appropriation for the payment of gasoline in the distribution of commodities by the W. P. A. by direction of the County

Legislative Delegation. The County Board shall use so much of the above appropriation as is necessary for the payment of expenses and costs of moving the W. P. A. Commodities, etc., from the old warehouse, etc. The County Board shall use eighty-five (\$85.00) dollars of the above appropriation for the payment to Blanche Wilkins of her salary for expenses of travel, etc., to services rendered during the months of May and June, 1937, in connection with the distribution of commodities.

Provided, any surplus in the above shall be disbursed on the order and direction of the Legislative Delegation.

Provided, That the expenditure of this appropriation can be terminated at any time by the County Delegation and can also be transferred by the County Delegation to any other appropriation. The County Supervisor and County Board of Directors is hereby authorized to furnish, if and when available and possible, to the Emergency Relief Administration in Beaufort County such road machinery and equipment as may be desired for work on County Road projects.

Insurance, public buildings to the State Sinking Fund Commission	200.00
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Total Item 11.....	\$ 3,760.00
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Item 11-A. Sheriff's Expenses\$ 1,140.00

To cover all fees allowed under the provisions of Section 4950 of the Code of 1932, and amendments thereto, and to cover all other authorized expenses and costs of travel and maintenance of an automobile and all services of Jury Venire, \$990.00; *Provided*, That expenditures and payments of all such fees allowed under the authority of Section 4950, Code of 1932, and amendments thereto, and all costs of travel and maintenance of an automobile by the Sheriff shall not exceed \$65.00 per month, and that for the service of each Jury Venire the Sheriff is to be paid the flat amount of \$25.00 the total of such services not to exceed \$200.00 for any one year.

Total Item 11-A.....\$ 1,140.00

Item 12. Contingent Fund, Farm and Home
Demonstration Agents \$30.00

each\$ 60.00

The mimeograph machine now in the office of the Farm and Home Agents shall be available for use by other officials of the County but to remain in the office of Farm and Home Demonstration Agents.

Travel County Farm Agent.....\$ 300.00

Short Course Home Demonstration Work\$ 35.00

4-H Club annual encampment.... 35.00

4-H Club work—Negroes.....	25.00	
Total Item 12.....		\$ 455.00
Item 13. Colored Farm Demonstration Agent	\$ 300.00	
<i>Provided, This expenditure shall only be made under conditions imposed in Section 8 hereof.</i>		
Total Item 13.....		\$ 300.00
Item 14. Military Company.....	\$ 275.00	
Total Item 14.....		\$ 275.00
GRAND TOTAL		\$ 58,110.32
Less Estimated Revenue other than Taxes for the year 7-1-37 to 6-30-38:		
Commutation Road Tax.....	\$ 6,500.00	
Fines and Licenses—Clerk of Court, Highway Patrol—County Supervisor—Fines and Costs, Magistrates other sources—Refunds—Interest, etc.....	6,000.00	
1935 Gasoline Tax year 7-1-37 to 6-30-38	14,000.00	
Insurance Fees year 7-1-37 to 6-30-38	1,500.00	
Total		\$ 28,000.00
Amount to be raised by taxation		\$ 30,110.32

§ 3. The County Board of Directors is hereby authorized to borrow in anticipation of the collection of the per capita road tax, the automobile tax, the tax provided for in Section 1 of this Act, and the taxes herein levied for general County purposes, an amount not to exceed Twenty-five Thousand (\$25,000.00) Dollars, if same be necessary.

§ 4. The County Board of Education is hereby authorized to borrow in anticipation of the collection of the school taxes herein levied an amount not to exceed Fifty Thousand (\$50,000.00) Dollars; *Provided*, That they shall first confer with the County Treasurer and if the funds are available in Sinking Funds, the Treasurer shall make the loan out of the Sinking Funds, in his hands, taking the note of the County Board of Education, payable in not more than ten months and at a rate of interest of not less than four (4%) per cent or more than six (6%) per cent. All interest earned on said loan from the Sinking Fund Account or accounts, shall be credited to the Sinking Fund account or accounts from which the loan was made.

§ 5. For the maintenance of Beaufort Township Library a levy of one (1) mill on the property of the said Township, to be expended by the Trustees of said Library, the County Treasurer, on or about February 1st of each year shall report to the Legislative Delegation all funds collected from this source, as well as showing all amounts turned over to the Trustees of the said Library. All unexpended funds collected for the purpose herein unexpended at the expiration of each calendar year shall be credited by the County Treasurer to the Trustees of said Library for the ensuing year and shall not be turned into the County Funds.

§ 6. There shall be levied in the County and the various school Districts, for educational purposes, the following levies:

(1) In lieu of the special levies heretofore levied in the various school districts for the maintenance of schools, there shall be levied ten (10) mills on all the property in the County for general school purposes and the funds derived therefrom shall be allocated to the various schools by the County Board of Education as the needs of these schools may require. Any and all surplus funds, if there be any, collected by the levy provided in this section or from any other sources for school purposes, shall be applied to the payment of any past due school obligations or any existing school obligations held by the County Treasurer. *Provided*, The Legislative Delegation may reduce the amount of levy authorized herein, if they should deem such a reduction proper and practical. *Provided*, That ten thousand (\$10,000.00) dollars of the money received from State aid for the year 1937-1938 shall be used towards the retirement of the existing unsecured school indebtedness.

(1-A) That any and all revenue or revenues allotted or authorized to be paid to Beaufort County by the State Tax Commission and/or any other State agency now organized or may hereafter be created, as revenue derived from the special beer tax and any liquor taxes, profits or commissions shall be applied by the County Treasurer to the County School revenue fund which shall be used for the payment of salaries in the operation of the schools and maintenance thereof.

(2) For taking care of the interest and sinking funds of the special bonds in the various districts, there shall be levied in District No. 1, one (1) mill; and in District No. 6, one and three-fourths ($1\frac{3}{4}$) mills, if so much be necessary.

(3) The County Board of Education is directed to pay out of the school taxes collected in the County the following:

Salary Superintendent of Education.....	\$ 1,800.00
Travel expenses, Superintendent of Education.....	180.00
County Board of Education.....	42.00

(4) The County Board of Education shall at the expiration of each calendar year not later than February 1st, make a report to the Legislative Delegation setting forth all expenditures for school purposes in the respective school districts for the preceding year; as well as make up a budget or estimate of expenditures for the ensuing year; with a statement showing anticipated revenues for such expenditures.

§ 7. For the payment of the sponsors contribution and other expenses incidental and necessary to the construction of the Beaufort Frogmore Road, the Beaufort County Board of Directors are authorized and empowered to borrow, not exceeding, twenty-five thousand (\$25,000.00) dollar, and the auditor and treasurer are authorized and directed to levy and collect an annual tax of two (2) mills on all of the property in Beaufort, Ladies Island and St. Helena Townships until a sufficient sum has been raised to repay said indebtedness with interest. Before borrowing said sum the Board of Directors shall confer with the Treasurer and Auditor as to the terms of said note, and the proviso to Section 4 of this Act shall be applicable to this Section. From the funds derived from this note the County Board shall reimburse the special county fund from which any funds were secured for the payment, and the costs heretofore accruing in connection with the construction of said road. At the expiration of the fiscal year the county Board of Directors shall furnish the Legislative Delegation with a statement of

all levies collected by the levy herein provided for and of all expenditures made therefrom.

§ 8. There shall be levied for the fiscal year 1937-38 one (1) mill on all property in Sheldon Township as a special levy, the funds derived therefrom shall be used to pay necessary expenses of engineering, the salary of a special engineer if it is found that one is absolutely necessary, and costs of equipment, materials and supplies as may be necessary, for the purpose of construction and surface treating, supplemented by P. W. A. Funds, of the present County Highway from Route No. 21 to Dale. All moneys collected by this special levy shall be kept in a separate account, and all items of expense and salaries paid therefrom shall be itemized. At the expiration of the fiscal year the County Board of Directors shall furnish the Legislative Delegation with a statement of all revenue collected by this levy, and of all expenditures made therefrom.

§ 9. There shall be levied for the fiscal year 1937-38 one (1) mill on all property in Bluffton Townships as a special levy. The funds derived therefrom shall be used to pay necessary expenses of engineering, the salary of a special engineer if it is found that one is absolutely necessary, and costs of equipment, materials and supplies as may be necessary, for the purpose of construction and surface treating, supplemented by P. W. A. Funds of the present County Highway from State Highway No. 33 near Pritchardville to its intersection with the "Bailey Road", or so much thereof as can be constructed. All moneys collected by this special levy shall be kept in a separate account, and all items of expenses and salaries paid therefrom shall be itemized. At the expiration of the fiscal year the County Board of Directors shall furnish the Legislative Delegation with a statement of all revenue collected by this levy, and of all expenditures made therefrom.

§ 10. A levy of one (1) mill, if so much be necessary is hereby levied on Hilton Head Township, the proceeds of said levy are hereby appropriated for the maintenance, repairing and reconstruction of the public wharf and approaches on Jenkins Island; the funds derived from this source to be separately designated and accounted for on the books of the County Treasurer and any and all unexpended balances at the expiration of the calendar year shall be carried forward and credited to this special account and all expenditures for this purpose charged to the same. The County supervisor shall, not later than January 15th of each year, make a special

report to the Legislative Delegation showing all expenditures for this purpose during the preceding twelve months.

§ 11. That none of the funds hereinabove authorized to be expended, provided in Item 13 herein, shall be used for such purpose except and only as herein provided. That unless an agreement can be had with the proper authorities, whereby the Colored Farm Agent shall work in conjunction with the County Farm Agent, and in the furtherance of the work of the County Farm Agent the County Board of Directors shall not expend any of such fund for such purpose; except that the said Board shall use so much thereof as to pay the County's part of his salary to the date of the passage of this Act on the basis provided by this Act.

§ 12. That all moneys paid to the Treasurer, Sheriff or other public officials of Beaufort County as interest on the deposits of public funds shall be accounted for by such official as other public funds are account for and shall be placed in the General Sinking Fund Account to be used in retiring outstanding bonds, and said officials shall make a detailed report of the same on or about January 1st of each year to the Legislative Delegation.

§ 13. That in order to facilitate the preparing of the Supply Bill by the Legislative Delegation, the County Treasurer, shall on or before the first day of February of each year report to the Legislative Delegation the amount of funds coming into his hands, during the preceding calendar year, giving the source of said funds, and he shall further report the disbursement made by him during the preceding calendar year, showing the amount disbursed on vouchers by the County Board of Directors, vouchers by the Board of Education, certificate or warrants of the Clerk of Court, and interest and principal paid on bonds. The County Treasurer shall annually, not later than February 1st of each year, furnish the members of the Legislative Delegation with a detailed statement of the status of the Bond Accounts, school and county, of Beaufort County.

§ 14. All claims, accounts, special expense accounts and expenditures herein authorized to be paid by the County Board of Directors, the County Board of Education and all other county agencies, except salaries of officials as herein fixed and/or salaries of school teachers, shall first be itemized and verified by the payee before being paid by the respective board or agency and filed in the office of the same.

§ 15. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 16. This Act shall take effect upon its approval by the Governor.

Approved the 22nd day of May, 1937.

(78)

No. 419.

AN ACT to Amend Act No. 1026, of the Acts of the General Assembly of South Carolina 1936, Approved April 18, 1936, to Authorize the Trustees of Hardeeville School District No. 10, of Beaufort and Jasper Counties to Borrow Certain Monies.

Section 1. Act 1026, 1936 Acts, amended—Hardeeville School District No. 10 borrow additional funds, Beaufort and Jasper Counties.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1, of Act No. 1026, of the Acts of the General Assembly of South Carolina, 1936, be, and the same is hereby amended by adding to the said section the following, to-wit: "That the trustees of Hardeeville School District No. 10, of Beaufort and Jasper Counties be, and they are hereby authorized and empowered to borrow the additional sum of four thousand (\$4,000.00) dollars to be used for additional building purposes. The trustees of said school district are hereby authorized and directed to execute their notes in the amount of not more than four thousand (\$4,000.00) dollars, to mature at such time as they deem proper, but not in excess of nine years after the date of this Act. Said notes so executed shall bear interest from date of issuance at a rate not exceeding five per centum per annum." So that said Section when so amended shall read as follows:

"Section 1. That the trustees of Hardeeville School District No. 10 of Beaufort and Jasper Counties, be, and they are hereby, authorized and empowered to borrow the sum of five thousand (\$5,000.00) dollars, to be used for building purposes. The trustees of said school district are hereby authorized and directed to execute their six (6) notes, the last of which shall not mature later than seven (7) years after July 1, 1935. The said notes so executed shall bear interest from date of issuance at a rate of not exceeding six (6%) per cent per annum.

That the trustees of Hardeeville School District No. 10 of Beaufort and Jasper Counties be, and they are hereby, authorized and empowered to borrow the additional sum of four thousand (\$4,000.00) dollars to be used for additional building purposes. The trustees of said school district are hereby authorized and directed to execute their additional notes in the amount of not more than four thousand (\$4,000.00) dollars, to mature at such time as they deem proper, but not in excess of nine years after the date of this Act. Said notes so executed shall bear interest from date of issuance at a rate not exceeding five per centum per annum."

§ 2. **Same—payment.**—Amend Section 2 of said Act by striking out on line three (3) thereof after the word "of" and before the word "years" the following: "seven (7)", and insert in lieu thereof the following: "nine (9)"; so that said section when so amended shall read as follows:

"Section 2. The Auditors of Beaufort and Jasper Counties are hereby authorized and directed to levy a special one mill tax on all the property in said School District for a period of nine (9) years, if so much be necessary, to pay said notes and interest thereon, and the Treasurers of said Counties are hereby authorized and directed to collect same as all taxes are collected which shall be applied to the payment of said notes and interest and for no other purposes."

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of February, 1937.

(309)

No. 420.

A JOINT RESOLUTION to Authorize the City Council of Beaufort, South Carolina, to Convey to and Execute Deed to the Executive Committee of the Beaufort Community Club.

Whereas, The City of Beaufort acquired by title a lot of land in the said city on which is situated and located the Beaufort Community House; and

Whereas, The City Council of Beaufort, South Carolina, wishes to convey the aforesaid property to the executive committee of the said Community Club; *Now Therefore*:

Section 1. City of Beaufort convey Community Club lot.—Be it resolved by the General Assembly of the State of South Carolina: That the City Council of Beaufort, South Carolina, be and it is hereby authorized and empowered to execute deed to and convey to the executive committee of the Beaufort Community Club, its successors or assigns, for the consideration of one (\$1.00) dollar, the lot of land and all improvements thereon known as the Community Club lot in Beaufort, South Carolina.

§ 2. This Resolution shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(498)

No. 421.

AN ACT to Empower Beaufort County Board of Directors to Sell Certain Property.

Section 1. Beaufort County sell Whale Branch Ferry property.—Be it enacted by the General Assembly of the State of South Carolina: That Beaufort County Board of Directors is hereby authorized and empowered to sell, on such terms and conditions as it may deem fit and proper, the house and lot known as the "Whale Branch Ferry Property" in Beaufort County, South Carolina.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(610)

No. 422.

AN ACT to Authorize and Empower the County Board of Directors of Beaufort County to Issue and Sell Serial Coupon Bonds of St. Helena Township in the Sum of Twenty-five Thousand (\$25,000.00) Dollars for the Construction and Building of Roads in Said St. Helena Township; and to Provide for the Payment of Same.

Section 1. St. Helena township sell bonds build roads, Beaufort County.—Be it enacted by the General Assembly of the State of South Carolina: Upon the written request of a majority of the Legislative Delegation of Beaufort County, including the

Senator, the County Board of Directors of Beaufort County be and it is hereby authorized and empowered to issue and sell serial coupon bonds of St. Helena Township in said county in the amount of not more than twenty-five thousand (\$25,000.00) dollars, the proceeds from the sale of which are to be used to match and/or supplement federal funds or state funds or funds derived from any other source for the purpose of building and constructing county roads in St. Helena Township.

§ 2. **Denominations—interest—maturities.**—That said serial bonds shall be issued in denominations of five hundred (\$500.00) dollars each and shall bear interest at a rate not exceeding five (5%) per cent payable annually and shall mature in such amounts from year to year as to be retired and paid in full within twenty (20) years from the date of issuance.

§ 3. **Execution—payment of principal and interest.**—The said bonds shall be signed by the chairman of the County Board of Directors and countersigned by the clerk of the said Board, with the seal of their office: *Provided*, That the signatures of the said chairman and clerk may be lithographed on the coupons of the said bonds, which said lithographed signatures shall be a sufficient signing of the same. The principal and interest of the bonds may be made payable within or without the State of South Carolina, and in such medium of payment as may be indicated on the face of the bond.

§ 4. **Disposition.**—That the said bonds shall be disposed of by said County Board of Directors for cash at not less than par, at such time and upon such notice as the said Board shall deem proper.

§ 5. **Deposit and disbursement of proceeds.**—The proceeds of the sale of said bonds shall be placed by the said County Board of Directors with the County Treasurer of Beaufort County and shall be by him deposited and kept separate and distinct from all other funds and shall be paid out by the said treasurer upon the order of the county Board of Directors of Beaufort County as other funds are now paid out.

§ 6. **Payment.**—Until the principal and interest of all bonds issued and sold under this Act shall be fully paid it shall be the duty of the County Auditor of Beaufort County to assess and levy annually upon the taxable property of said St. Helena Township a tax sufficient to pay the interest on said bonds and all maturities thereof; said tax shall be annually collected by the County Treasurer and applied by him or under his direction to the payment of said principal and interest.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(615)

No. 423.

AN ACT to Authorize and Empower the County Board of Directors of Beaufort County to Issue and Sell Serial Coupon Bonds of Bluffton Townships in the Sum of Thirty-five Thousand (\$35,000.00) Dollars for the Construction and Building of Roads in Said Bluffton Townships; and to Provide for the Payment of Same.

Section 1. Bluffton townships sell bonds build roads, Beaufort County.—Be it enacted by the General Assembly of the State of South Carolina: Upon the written request of a majority of the Legislative Delegation of Beaufort County, including the Senator, the County Board of Directors of Beaufort County be, and it is hereby authorized and empowered to issue and sell serial coupon bonds of Bluffton Townships in said county in the amount of not more than thirty-five thousand (\$35,000.00) Dollars, the proceeds from the sale of which are to be used to match and/or supplement federal funds or state funds or funds derived from any other source for the purpose of building and constructing county roads in Bluffton Townships.

§ 2. **Denominations—interest — maturities.**—That said serial bonds shall be issued in denominations of one thousand (\$1,000.00) dollars each and shall bear interest at a rate not exceeding five (5%) per cent payable annually and shall mature in such amounts from year to year as to be retired and paid in full within twenty-five (25) years from the date of issuance.

§ 3. **Execution—payment of principal and interest.**—The said bonds shall be signed by the chairman of the County Board of Directors and countersigned by the clerk of the said Board, with the seal of their office: *Provided*, That the signatures of the said chairman and clerk may be lithographed on the coupons of the said bonds, which said lithographed signatures shall be a sufficient signing of the same. The principal and interest of the bonds may be made payable within or without the state of South Carolina, and in such medium of payment as may be indicated on the face of the bond.

§ 4. **Disposition.**—That the said bonds shall be disposed of by said County Board of Directors for cash at not less than par, at such time and upon such notice as the said Board shall deem proper.

§ 5. **Deposit and disbursement of proceeds.**—The proceeds of the sale of said bonds shall be placed by the said County Board of Directors with the County Treasurer of Beaufort County and shall be by him deposited and kept separate and distinct from all other funds and shall be paid out by the said treasurer upon the order of the county Board of Directors of Beaufort County as other funds are now paid out.

§ 6. **Payment.**—Until the principal and interest of all bonds issued and sold under this act shall be fully paid it shall be the duty of the County Auditor of Beaufort County to assess and levy annually upon the taxable property of said Bluffton Townships a tax sufficient to pay the interest on said bonds and all maturities thereof; said tax shall be annually collected by the County Treasurer and applied by him or under his direction to the payment of said principal and interest.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(616)

No. 424.

AN ACT to Authorize and Empower the County Board of Directors of Beaufort County to Issue and Sell Serial Coupon Bonds of Beaufort Township in the Sum of Twenty-five Thousand (\$25,000.00) Dollars for the Construction and Building of Roads in Said Beaufort Township; and to Provide for the Payment of Same.

Section 1. Beaufort township sell bonds build roads, Beaufort County.—Be it enacted by the General Assembly of the State of South Carolina: Upon the written request of a majority of the Legislative Delegation of Beaufort County, including the Senator, the County Board of Directors of Beaufort County be, and it is, hereby authorized and empowered to issue and sell serial coupon bonds of Beaufort Township in said county in the amount of not more than twenty-five thousand (\$25,000.00) dollars, the proceeds from the sales of which are to be used to match and/or supplement

federal funds or state funds derived from any other source for the purpose of building and constructing county roads in Beaufort Township.

§ 2. Denominations—interest—maturities.—That said serial bonds shall be issued in denominations of five hundred (\$500.00) dollars each and shall bear interest at a rate not exceeding five (5%) per cent payable annually and shall mature in such amounts from year to year as to be retired and paid in full within twenty (20) years from date of issuance.

§ 3. Execution—payment of principal and interest.—The said bonds shall be signed by the chairman of the County Board of Directors and counter-signed by the clerk of said Board, with the seal of their office: *Provided*, That the signature of the said chairman and clerk may be lithographed on the coupons of the said bonds, which said lithographed signatures shall be a sufficient signing of the same. The principal and interest of the bonds may be made payable within or without the State of South Carolina, and in such medium of payment as may be indicated on the face of the bond.

§ 4. Disposition.—That the said bonds shall be disposed of by said County Board of Directors for cash at not less than par, at such time and upon such notice as the said Board shall deem proper.

§ 5. Deposit and disbursement of proceeds.—The proceeds of the sale of said bonds shall be placed by the said County Board of Directors with the County Treasurer of Beaufort County and shall be by him deposited and kept separate and distinct from all other funds and shall be paid out by the said Treasurer upon the order of the County Board of Directors of Beaufort County as other funds are now paid out.

§ 6. Payment.—Until the principal and interest of all bonds issued and sold under this Act shall be fully paid it shall be the duty of the County Auditor of Beaufort County to assess and levy annually upon the taxable property of said Beaufort Township a tax sufficient to pay the interest on said bonds and all maturities thereof; said tax shall be annually collected by the County Treasurer and applied by him or under his direction to the payment of said principal and interest.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(624)

No. 425.

AN ACT to Authorize and Empower the County Board of Directors of Beaufort County to Issue and Sell Serial Coupon Bonds of Sheldon Township in the Sum of Twenty-five Thousand (\$25,000.00) Dollars for the Construction and Building of Roads in Said Sheldon Township; and to Provide for the Payment of Same.

Section 1. Sheldon township sell bonds build roads, Beaufort County.—Be it enacted by the General Assembly of the State of South Carolina: Upon the written request of a majority of the Legislative Delegation of Beaufort County, including the Senator, the County Board of Directors of Beaufort County be and it is hereby authorized and empowered to issue and sell serial coupon bonds of Sheldon Township in said County in the amount of not more than twenty-five thousand (\$25,000.00) dollars, the proceeds from the sale of which are to be used to match and/or supplement federal funds or state funds or funds derived from any other source for the purpose of building and constructing county roads in Sheldon Township.

§ 2. Denominations—interest—maturities.—That said serial bonds shall be issued in denominations of five hundred (\$500.00) dollars each and shall bear interest at a rate not exceeding five (5%) per cent payable annually and shall mature in such amounts from year to year as to be retired and paid in full within twenty (20) years from the date of issuance.

§ 3. Execution—payment of principal and interest.—The said bonds shall be signed by the chairman of the County Board of Directors and countersigned by the clerk of the said Board, with the seal of their office: *Provided*, That the signatures of the said chairman and clerk may be lithographed on the coupons of the said bonds, which said lithographed signatures shall be a sufficient signing of the same. The principal and interest of the bonds may be made payable within or without the State of South Carolina, and in such medium of payment as may be indicated on the face of the bond.

§ 4. Disposition.—That the said bonds shall be disposed of by said County Board of Directors for cash at not less than par, at such time and upon such notice as the said Board shall deem proper.

§ 5. Deposit and disbursement of proceeds.—The proceeds of the sale of said bonds shall be placed by the said County Board of Directors with the County Treasurer of Beaufort County and shall

be by him deposited and kept separate and distinct from all other funds and shall be paid out by the said treasurer upon the order of the County Board of Directors of Beaufort County as other funds are now paid out.

§ 6. **Payment.**—Until the principal and interest of all bonds issued and sold under this Act shall be fully paid it shall be the duty of the County Auditor of Beaufort County to assess and levy annually upon the taxable property of said Sheldon Township a tax sufficient to pay the interest on said bonds and all maturities thereof; said tax shall be annually collected by the County Treasurer and applied by him or under his direction to the payment of said principal and interest.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(599)

No. 426.

AN ACT to Amend Act No. 381 of the Acts of the General Assembly of the State of South Carolina of 1935.

Section 1. Act 381, 1935 Acts, amended—Beaufort County legislative delegation and county directors approve issuance of bonds and expenses, Daufuskie bridge commission.—Be it enacted by the General Assembly of the State of South Carolina: That Section 6 of Act No. 381 of the Acts of the General Assembly of the State of South Carolina of 1935, approved May 17, 1935, be, and the same is hereby amended by adding at the end of said section the following: "*Provided, However, That before the said commission shall issue any bonds or incur any official expenses in connection with the provisions of this Act the same shall first be approved in writing by the members of the Legislative Delegation and by the Beaufort County Board of Directors*"; so that said section when so amended shall read as follows:

"Section 6: The said Daufuskie Bridge Commission, for the purpose of obtaining funds to build the said bridge and approaches herein provided, is authorized and empowered to issue its bonds, not to exceed an amount of twenty thousand (\$20,000.00) dollars, the same to be serial bonds in the denomination of one hundred (\$100.00)

dollars, five hundred (\$500.00) dollars and one thousand (\$1,000.00) dollars, each to bear interest not to exceed five (5%) per cent. per annum and to mature in not more than thirty (30) years, from date of issuance, interest to be paid semi-annually and the maturity of bonds so acquired to provide for retirements annually, after the same are issued; such additional funds as may be needed for the construction of the said bridge and approaches shall be secured by gifts, grants or otherwise. *Provided, However,* That before the said commission shall issue any bonds or incur any official expenses in connection with the provisions of this Act the same shall first be approved in writing by the members of the Legislative Delegation and by the Beaufort County Board of Directors."

§ 2. **Same—§ 11 eliminated—election on issuing bonds.**—Amend said Act No. 381 further by striking out from the same Section 11 thereof and by renumbering the remaining sections to conform.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(15)

No. 427.

AN ACT to Provide for the Levy of Taxes for Berkeley County for the Fiscal Year Beginning July 1, 1937, and to Direct the Expenditure Thereof, and Relating to Other Purposes and County Matters of Berkeley County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of ten (10) mills is hereby levied upon all of the taxable property of Berkeley County for County purposes for the fiscal year beginning July 1, 1937, together with all monies then in the hands of the County Treasurer, or coming into his hands after July 1, 1937, from fines, forfeitures, fees, executions or otherwise, or in bank for the use of the County and not specifically pledged for some other purpose shall be used and is appropriated for the specific purposes and amounts hereinafter stated:

Item 1. Roads and Bridges:\$ 5,000.00

Together with gasoline tax, commutation road tax, and reim-

bursement funds from the State
Highway Department.

Total		\$ 5,000.00
Item 2.	Clerk of Court	\$ 800.00
	Sheriff	1,800.00
	Law Enforcement Fund To be Ex- pended by the Sheriff	200.00
	Deputy Sheriff	1,200.00
	Jailor	300.00
	Treasurer	1,151.50
	Auditor	1,151.50
	Probate Judge	400.00
	Provided the Probate Judge shall receive all fees of his office, in- cluding marriage license fees.	
	Superintendent of Education ...	800.00
	Coroner	200.00
	Supervisor	1,890.00
	<i>Provided, The Supervisor shall also receive gasoline and oil for transportation while engaged in County work; Provided, Fur- ther, That no officer or employee other than the Supervisor shall receive gasoline or oil for trav- eling in performance of County work or otherwise.</i>	
	Clerk to Supervisor	300.00
	Janitor	300.00
	Physician to Jail and Chaingang.	200.00
	County Attorney or Legal Ad- visor	300.00
	The County Attorney or Legal Advisor to be employed by the Supervisor, and his salary not to include litigated cases, or actual expenses incurred, which shall be paid in addition thereto, and any County officer shall be jus- tified when acting upon the writ-	

ten opinion of the County Attorney or Legal Advisor in matters pertaining to his or her office, it being his duty to advise all County Officers, and the County shall not be liable for any legal services rendered any County Officer by any other lawyer unless the same be done upon the written request of the Delegation.

Nine (9) Magistrates, @ one hundred and fifty (\$150.00) dollars each\$ 1,350.00

One (1) Magistrate at Court House 250.00

Provided, That each Magistrate before receiving his pay for any month shall file with the Treasurer an itemized statement of all cases tried during said month, showing the fine or sentence imposed, and pay over to the Treasurer all fines collected.

Nine (9) Constables, @ One hundred and fifty (\$150.00) dollars each 1,350.00

Provided, That no Constable is provided for the Magistrate at the Court House as processes issued by him can be served by the Sheriff's Office.

County Health Nurse 1,700.00

County Board of Education\$ 200.00

County Board of Assessors 390.00

For payment of approved claims under Workmen's Compensation Act 600.00

Total \$ 16,833.00

Item 3.	County Health Unit	300.00	
	Total		\$ 300.00
Item 4.	Extension Department		\$ 150.00
	To be divided \$90.00 to the Home Demonstration Agent and bal- ance to Farm Demonstration Agent.		
	Total		\$ 150.00
Item 5.	Maintenance of Prisoners, at forty (40¢) cents per day for dieting. All claims to be approved by the Sheriff	\$ 2,000.00	
	Total		\$ 2,000.00
Item 6.	Transporting Prisoners	\$ 300.00	
	Total		\$ 300.00
Item 7.	Jurors, Witnesses and Bailiffs..	\$ 1,500.00	
	Total		\$ 1,500.00
Item 8.	Poor House and Paupers	\$ 3,600.00	
	Total		\$ 3,600.00
Item 9.	Post Mortems, Inquest and Lu- nacy	\$ 300.00	
	Total		\$ 300.00
Item 10.	Public Buildings, including wa- ter, fuel, lights, insurance, tel- ephones and premiums on bonds	\$ 1,800.00	
	Total		\$ 1,800.00

Item 11. Printing and Postage, including all bills due	\$ 1,400.00	
Total		\$ 1,400.00
Item 12. Vital Statistics	\$ 315.50	
Total		\$ 315.50
Item 13. R. F. C. Appropriation	\$ 1,000.00	
Total		\$ 1,000.00
Item 14. Miscellaneous	\$ 1,500.00	
Contingent Fund	1,000.00	
Total		\$ 2,500.00
GRAND TOTAL		\$ 36,998.50

§ 2. That a tax of ten (10¢) cents per head on all cattle and five (5¢) cents per head on all hogs, goats, and sheep in the territory east of the line fence is hereby levied for the the purpose of maintaining said line fence, to be expended by Messrs. D. O. Thornly, John Brinson and J. W. McMakin, who are hereby designated as Line Fence Commissioners; and it shall be the duty of the Auditor of Berkeley County to levy, and the Treasurer to collect, such taxes as other taxes are levied and collected, and the same shall be expended upon warrant or warrants drawn by the above named parties; and also a tax of four (4) mills is hereby levied upon all of the taxable property of Berkeley County to pay for permanent improvements and expenses, which shall be levied and collected as other taxes and paid out upon warrants or vouchers issued and drawn by the County Supervisor: *Provided*, That the last mentioned tax may be borrowed against and the same pledged in anticipation of the collection of such taxes in the same manner as hereinafter provided in Section 3 hereof at any time after the passage of this Act and the proceeds of such loan or loans shall be immediately available.

§ 3. All items herein which are to be paid out as salaries or wages, or fixed expenses for officers, or agents, or servants of the County shall be expended in the usual manner in twelve (12) equal monthly installments and not otherwise, and no more, and in

case any officer or agent or servant as aforesaid shall resign, or otherwise vacate his or her office, or position before the expiration of the fiscal year, he shall be entitled to said monthly installments or payments for the month or parts of month served and no more.

For the purpose of paying in cash the foregoing and all other general, ordinary or special County expenses for the fiscal year beginning July 1, 1937, as authorized by this Act, or otherwise appropriated, in anticipation of the collection of taxes or other revenues, the County Supervisor and Treasurer for the said County of Berkeley be, and they hereby are, authorized to borrow from time to time as may be necessary, in their judgment, on note or notes or other evidence or evidences of indebtedness of the County executed by said County officials, from any person, firm or corporation or from the Treasurer's Sinking Funds or other dormant funds, and the sum or sums so borrowed shall constitute a valid claim against the County and the monies derived from the ten (10) mills tax levied in Section 1 hereof and the four (4) mills tax levied in Section 2 hereof, and any monies to be received from the State under reimbursement agreements and the commutation taxes are pledged to secure the payment thereof, and it shall not be incumbent upon the person, firm or corporation making such loan or loans to see that the monies loaned are applied for the purposes for which borrowed.

§ 5. The County Treasurer is hereby authorized to accept school claims properly signed and approved by the Superintendent of Education in payment of taxes and to carry same as cash items until school money is available to take care of same: *Provided*, Same are not in excess of the provisions of the County School budget as approved and filed with the Auditor.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect immediately upon becoming a law.
Approved the 3rd day of February, 1937.

(213)

No. 428.

AN ACT to Authorize the Board of Trustees of St. Stephens High School, in Berkeley County, to Borrow the Sum of One Thousand (\$1,000.00) Dollars, to be Used on the J. K. Gourdin Colored SchoolHouse in Berkeley County, and to Provide for the Repayment Thereof.

Section 1. St. Stephens high school district, Berkeley County, borrow pay for working on and furnishing school house.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of St. Stephens High School District or a majority thereof, in Berkeley County, are hereby authorized and empowered to borrow from any available source, at the lowest legal rate of interest obtainable, the sum of One Thousand Dollars, with interest, payable annually, the principal to become due and payable in two equal annual installments of Five Hundred (\$500.00) Dollars each. The loan shall be evidenced by Notes signed by the Chairman and Clerk of the Board of Trustees of said School District, payable to Bearer, and primary obligations of the said school district, and the full faith, credit, resources and taxing power of said school district is pledged to secure the payment of the principal and interest thereof. The proceeds of said loan shall be deposited with the County Treasurer of Berkeley County, to the credit of said school district, and shall be expended and withdrawn by the said Board of School Trustees, in payment for work and materials used on said schoolhouse and furnishings therein.

§ 2. Payment.—In order to pay the principal and interest of said Notes, as the same shall mature, the Auditor of Berkeley County is authorized and directed to levy an annual tax upon all of the property of said St. Stephens High School District, either as a special tax or in the school budget, sufficient to pay the principal and interest each year, until the said indebtedness and interest shall have been paid in full, and the Treasurer of Berkeley County is directed to collect the said tax, as other taxes are collected. The tax herein authorized to be levied is especially pledged to secure the payment of the loan authorized to be made under the provisions of this Act.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 24th day of March, 1937.

AN ACT to Provide for the Levy of Taxes for Ordinary County and School Purposes for the Year 1937 for Calhoun County, and for the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That for County purposes for Calhoun County for the fiscal year commencing July 1, 1937, the sums hereinafter specified are appropriated for the purposes stated, and the auditor of Calhoun County is authorized to levy and the Treasurer to collect a tax upon all of the taxable property of Calhoun County sufficient to meet the appropriations made herein.

1. (a)	For construction and maintenance of roads and bridges and the support of county chaingang and floating gang	\$ 13,000.00
(b)	Payment of road machinery note and interest	1,250.00
(c)	Bridges under WPA contract, if so much be necessary	2,500.00
(d)	For improvement and maintenance of one-half mile Midway Road by O. D. Felkel and Mrs. Maggie Jourdain, if so much be necessary..	500.00
	Total Item I	\$ 17,250.00
Item 2.	Clerk of Court	150.00
	Expenses—Clerk of Court	50.00
	Sheriff	1,500.00
	Automobile and traveling expenses for Sheriff and all other expenses for Sheriff in and out of the County of Calhoun	400.00
	<i>Provided, The above sum of \$400.00 allowed the Sheriff for expenses is in lieu of all fees to which he is entitled under the law, all such fees to be collected by the County Treasurer and placed to the general fund by him.</i>	
	Treasurer	500.00
	Auditor	500.00
	<i>Provided, The amounts fixed by law for the Treasurer and Auditor are in lieu of all fees, costs and commissions accruing to such officers, but the same shall be collected by such officers and placed by them in the treasury to the general fund.</i>	
	Superintendent of Education	900.00

Provided, If the State makes provision for the payment of any part of the salary of this official, a sufficient amount of this item shall be used to make the total salary of this official Twelve Hundred (\$1,200.00) Dollars.

Attorney for County	150.00
Coroner	150.00
Supervisor	1,500.00

Provided, The County shall supply the Supervisor with gasoline and oil for his automobile used on official business for the County.

Two County Commissioners	300.00
Distributing Seed Loan	150.00
Clerk to Board of County Commissioners	450.00
Judge of Probate	400.00

Provided, Salary to be in lieu of all fees chargeable to the County.

Constables:

First District	400.00
Second District	100.00
Third District	100.00

Magistrates:

First District\$	500.00
Second District	150.00
Third District	150.00

Provided, The compensation provided for magistrates is in lieu of all fees payable by the county to which they or either of them may be entitled.

Provided, Further, That each Magistrate shall give bond in the sum of five hundred (\$500.00) dollars conditioned for the faithful performance of his duties, and the premium thereon paid out of the county contingent fund.

Board of Education	50.00
Board of Equalization	200.00
Jail Expenses, including dieting of prisoners..	1,200.00

Provided, The Sheriff shall be allowed 35¢ per diem for dieting of prisoners and shall be paid

at this rate for dieting prisoners from January 1, 1937.	
Jurors, Bailiffs, Deputy Clerk and Witnesses..	1,500.00
Poor	1,000.00
For part time nurse under supervision of chairman of county Christmas Seal Committee..	100.00
Post Mortems and Inquests	100.00
Burial of County Poor	100.00
Lunacy (to be used exclusively for medical examinations)	300.00
Boy's 4-H Club	50.00
Girl's 4-H Club	50.00
<i>Provided</i> , The above 4-H Club items shall be paid from the contingent fund.	
Stoves for County officers downstairs in courthouse	100.00
County Library	100.00
Public Buildings, including water, lights and fuel	600.00
<i>Provided</i> , The same to be used for County purposes only.	
Printing, Postage and Stationery	700.00
Miscellaneous Contingent	1,000.00
Vital Statistics	179.00
Interest on current loans in anticipation of taxes	1,000.00
Janitor for courthouse and jail	480.00
Premiums on bonds for county officers	400.00
Rent DPW Offices	210.00
Rent County Agent	90.00
Hospitalization fee	500.00
<i>Provided</i> , Not more than one (\$1.00) dollar a day up to twenty days shall be given to any one patient and then only when Duke Aid is allowed.	
County Health	620.00
To be advanced to the State Department of Health in ten (10) equal monthly installments, commencing March 1, 1937.	
GRAND TOTAL	\$ 36,279.00

§ 2. If any of the sums above mentioned, or any portion thereof, are not used or expended for the specific purpose for which appropriated, the whole of any balance shall be expended only upon written authorization of the legislative delegation.

§ 3. That it shall be unlawful for any officer of this County to approve or pay any claim against the County, or any School District unless the funds are on hand for the payment of the same, and also it shall be unlawful for the County Board of Commissioners to exceed the appropriations made for the several items in this Act, unless authorized by the County Delegation, and any County Officer violating the provisions of this Act shall be liable for said violations on his official bond: *Provided, However,* That the County Treasurer and the Supervisor are hereby authorized and empowered to borrow so much money as is necessary to defray the said County expenses, not exceeding the total amount herein appropriated and are authorized to pledge the taxes when collected for payment of the same; and *Provided, Further,* That all moneys coming into the County Treasury to the credit of the County by reason of contracts made and work done by the County or its authorities in the working or building of roads and bridges may be used and expended by the Board of County Commissioners in the maintenance and support of the County chain-gang and in the building of bridges and maintenance of roads, permanent and otherwise.

§ 4. All office supplies needed by County Officers shall be purchased through the County Supervisor, and any officer making such a purchase without the consent of the Supervisor shall not be reimbursed by the County.

§ 5. The Clerk of Court shall have entire oversight and care of the Courthouse Building and grounds, and he shall supervise the care of same, and the janitor for the Court House and Jail shall be employed by the Clerk of Court, and it shall be his duty to supervise said janitor and see that he keeps the Court House and grounds in proper condition.

§ 6. All appropriations herein made are subject to the right and authority of the Calhoun County Delegation to change, alter, or deduct therefrom at any time without notice, when in its judgment such change, alteration or deduction is necessary for the best interest of the county, and to conform with the revenue expected during the life of this Bill: *Provided,* That the changes made by the

Delegation pursuant to the authority herein conferred shall not operate to increase the total amount herein appropriated.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(170)

No. 430.

AN ACT to Authorize and Empower the County Board of Commissioners of Calhoun County to Borrow a Sum Not Exceeding Three Thousand (3,000.00) Dollars for the Erection of an Agricultural Building and to Provide for the Payment of Same.

Section 1. Calhoun County borrow erect agricultural building.—Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Commissioners of Calhoun County is hereby authorized and empowered to borrow a sum of money not exceeding Three Thousand (\$3,000.00) Dollars, which, together with other funds to be procured from other sources shall be used for the purpose of erecting an Agricultural Building in Calhoun County.

§ 2. **Issue notes.**—That in order to secure a payment of the loan herein authorized, the County Board of Commissioners of Calhoun County are hereby authorized and empowered to execute and deliver to the lender three (3) notes of one thousand (\$1,000.00) dollars each, which notes shall mature in one, two and three years from the date of issuance and shall bear such rate or rates of interest as may be agreed upon by the lender and the County Board of Commissioners of Calhoun County, not exceeding five (5%) per cent per annum.

§ 3. **Payment.**—The full faith, credit and taxing power of Calhoun County is hereby pledged for the payment of the money herein authorized to be borrowed and any and all interest thereon. The auditor of said County is hereby authorized and directed to place a sufficient levy on all of the taxable property in Calhoun County to pay said notes and interest thereon as and when the same may become due and the treasurer of said county is hereby authorized and directed to collect such tax so levied in like manner as all other

taxes are now collected, and apply the same towards the payment of said notes and interest thereon as and when the same may become due.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(359)

No. 431.

AN ACT to Empower the County Board of Commissioners of Calhoun County to Borrow the Sum of Fifteen Hundred (\$1500.00) Dollars for the Purpose of Making Additions and Repairs to the County Jail and to Provide a Levy for the Payment of the Same, and to Authorize the Said Board to Secure Such Grant from the Federal Government or Any Agency Thereof as May be Available for Such Purposes.

Section 1. Calhoun County borrow make additions and repairs to jail.—Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Commissioners of Calhoun County is authorized and empowered to borrow the sum of Fifteen Hundred (\$1500.00) Dollars, or so much thereof as may be necessary, for the purpose of making additions and repairs to the County Jail of said County.

§ 2. **Issue notes.**—That the said Board is authorized to execute and deliver in the name of the County a note for a sum, not exceeding Fifteen Hundred (\$1500.00) Dollars, payable at a date to be fixed by the Board in the year 1938, with interest not exceeding five (5%) per centum per annum. The said Board is also empowered to renew said note from time to time: *Provided*, That the maturity date of any such renewal shall not be later than December 31, 1938. The proceeds of said note shall be placed in the hands of the County Treasurer and expended only for the purposes above mentioned.

§ 3. **Apply for federal grant.**—That in order to supplement the funds above authorized to be borrowed the County Board is authorized to apply for and receive a Grant from the Federal Government, or any Agency thereof.

§ 4. **Payment.**—That in order to provide for the payment of the said note and renewal, if any, and interest thereon, the Auditor of Calhoun County is hereby authorized and directed to levy, and the Treasurer to collect a tax upon all of the taxable property in said County, sufficient for that purpose, and the said levy of taxes is hereby pledged to secure the payment of the said note and interest.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of April, 1937.

(92)

No. 432.

AN ACT to Authorize and Empower the Trustees of School District No. 8 in Calhoun County to Borrow a Sum Not Exceeding Fifteen Thousand (\$15,000.00) Dollars for the Erection of a Gymnasium and Work Shop in Said District, and to Provide for the Payment of the Same.

Section 1. School District No. 8, Calhoun County, borrow erect gymnasium and work shop.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of School District No. 8, of Calhoun County, are hereby authorized and empowered to borrow from the State Sinking Fund Commission of South Carolina, or from other available sources, a sum of money not exceeding Fifteen Thousand (\$15,000.00) Dollars, which, together with other funds to be procured from different sources, shall be used for the purpose of erecting a Gymnasium and Work Shop in said School District.

§ 2. **Issue notes.**—That in order to secure the payment of the loan herein authorized, the Trustees of School District No. 8, of Calhoun County, are hereby authorized and empowered to execute and deliver to the lender as many notes as may be agreed upon between the Trustees and the lender so that said loan will mature in ten (10) equal annual installments and not later than ten (10) years from the date of issue, and at such rate of interest as may be agreed upon, not exceeding five (5%) per cent per annum.

§ 3. **Payment.**—The full faith, credit and taxing power of School District No. 8, of Calhoun County, is hereby pledged for the payment of the money herein authorized to be borrowed and any and

all interest thereon. The Auditor of said County is hereby authorized and directed to place a sufficient levy on all of the taxable property in School District No. 8 of Calhoun County to pay said notes and interest thereon as and when the same become due, and the Treasurer of said County is hereby authorized and directed to collect such tax so levied in like manner as other taxes are collected and to apply the same toward the payment of said notes and interest thereon as and when the same become due.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act to take effect immediately upon its approval by the Governor.

Approved the 24th day of February, 1937.

(181)

No. 433.

AN ACT to Authorize and Direct the Trustees of Joint School District No. 52 of Calhoun and Lexington Counties to Borrow a Sum Not Exceeding Eight Hundred Fifty (\$850.00) Dollars for the Purpose of Paying Outstanding Obligations of Said Districts and to Provide for the Payment of Same.

Section 1. Joint School District No. 52, Calhoun and Lexington Counties, borrow pay debts.—Be it enacted by the General Assembly of the State of South Carolina: That the trustees of joint School District No. 52 of Calhoun and Lexington Counties are hereby authorized and empowered to borrow from the State Sinking Fund of South Carolina or from other available sources a sum of money not to exceed eight hundred fifty (\$850.00) dollars for the purpose of paying outstanding obligations of the said joint school district.

§ 2. **Issue notes.**—That in order to secure the payment of the money herein authorized, the trustees of joint School District No. 52 of Calhoun and Lexington Counties are hereby authorized and empowered to execute and deliver to the lender as many notes as may be agreed upon between the trustees and the lender, to mature at such time as may be fixed by the trustees, not exceeding two (2) years from the date of issue and at such rate as may be agreed upon, not to exceed five per centum (5%) per annum.

§ 3. **Payment.**—The Auditor of Calhoun County and the Auditor of Lexington County are hereby authorized and directed to levy a sufficient tax on all of the taxable property of the said joint School District No. 52, of Calhoun and Lexington Counties, to pay the money so borrowed, together with interest thereon as the same becomes due and the Treasurer of Calhoun County and the Treasurer of Lexington County are hereby authorized to collect the said tax so levied in like manner as other taxes are collected, and to apply the same towards the payment of said notes and interest thereon as and when the same becomes due. The full faith, credit and taxing power of said joint School District of Calhoun and Lexington Counties is hereby pledged to the payment of the sum herein authorized to be borrowed.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 5. This Act shall become effective immediately upon its approval by the Governor.

Approved the 19th day of March, 1937.

(438)

No. 434.

AN ACT to Amend Section 2 of an Act Entitled "An Act to Authorize and Direct the Trustees of Joint School District No. 52 of Calhoun and Lexington Counties to Borrow a Sum Not Exceeding Eight Hundred Fifty (\$850.00) Dollars for the Purpose of Paying Outstanding Obligations of Said Districts and to Provide for the Payment of Same", of the Acts of the General Assembly of the State of South Carolina for the Year 1937, so as to Increase the Term of Maturity of Notes.

Section 1. Act 433, 1937 Acts, amended—maturity of notes of Joint School District No. 52, Calhoun and Lexington Counties.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2 of an Act entitled "An Act to Authorize and Direct the Trustees of Joint School District No. 52 of Calhoun and Lexington Counties to Borrow a Sum not Exceeding Eight Hundred Fifty (\$850.00) Dollars for the purpose of Paying Outstanding Obligations of said Districts and to Provide for the payment of Same" of the Acts of the General Assembly for the year 1937,

be, and the same is hereby amended by striking out the word and figure "two (2)" in said Section and inserting in lieu thereof the word and figure "eight (8)", so that said Section when so amended shall read as follows:

"Section 2: That in order to secure the payment of the money herein authorized, the trustees of joint School District No. 52 of Calhoun and Lexington Counties are hereby authorized and empowered to execute and deliver to the lender as many notes as may be agreed upon between the trustees and the lender to mature at such time as may be fixed by the trustees, not exceeding eight (8) years from the date of issue and at such rate as may be agreed upon, not to exceed five per centum (5%) per annum."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 30th day of April, 1937.

(453)

No. 435.

AN ACT to Provide for the Levy of Taxes for Charleston County for the Fiscal Year Beginning July 1, 1937, and Ending June 30, 1938, for School, County and Other Purposes and to Direct the Expenditure Thereof, and Relating to Other County Matters of Charleston County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the County Auditor of the County of Charleston shall levy, upon the written approval of the Senator and a majority of the members of the House of Representatives for Charleston County, a tax of a sufficient number of mills for school, county and other purposes, which together with all sums paid to the County from all other sources not otherwise appropriated, shall be applied to the payment of items enumerated below, including salaries and fees now provided for by law. All sums herein provided to be paid to any officer, clerk, deputy or employee shall be paid direct to such officer, clerk, deputy or employee and the County Treasurer shall take his receipt therefor. The head of each office, department, commission or institution except the Sanitary and Drainage Commission and the City Board of Public School Commissioners for the City of Charleston expending money appropriated by the

County shall furnish the County Treasurer with a list of employees in his office and notify the County Treasurer of any change therein.

COUNTY OPERATING PURPOSES

Item 1. For County Superintendent of Education's Office:

Of which the County Superintendent shall receive a salary of \$	3,000.00
Assistant Superintendent and Budget Clerk, salary and traveling expenses	2,700.00
Clerk's salary	1,200.00
Traveling expenses, Superintendent of Education	600.00

Total Superintendent of Education's Office	\$ 7,500.00
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Item 2. For Delegation's Office and clerical expenses, including stenographic hire, secretary's salary, stamps, telegrams, telephone, etc., to be paid on warrants of County Supervisor out of the General Funds, as authorized and directed by Resolution or Resolutions of Charleston County Legislative Delegation

\$ 700.00

Total for office of Delegation ..	700.00
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Item 3. County Auditor's Office:

Salary of County Auditor	\$ 1,500.00
Chief Clerk's salary	2,400.00
First Clerk's salary	2,100.00
Second Clerk's salary	2,100.00
Third Clerk's salary	1,800.00

Total County Auditor's Office ..	\$ 9,900.00
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Item 4. For County Supervisor's Office:

- (a) Supervisor's salary\$ 3,000.00
- (a-1) Salary secretary 150.00
- (b) Attorney for County Commissioners:

Provided, That he shall advise the County Board of Assessors when consulted 1,500.00

- (c) For repairs and supplies for County buildings, if so much be necessary, at least three (3) bids to be received for articles purchased 5,800.00

- (d) For books, stationery, printing and advertising, if so much be needed, at least three (3) bids to be received for articles purchased or printing contracts given out 2,800.00

- (e) For Contingent Expenses, if so much be needed, same to be paid out by warrant of County Supervisor 4,800.00

Provided, That Rural Police shall transport their own prisoners without extra compensation:

Provided, Further, That the Supervisor is authorized to use a sum not exceeding \$150.00 for transportation of prisoners.

- (f) For salaries of janitors of Court House and Fire Proof Buildings 2,400.00

- (g) For Annual Audit of the books and records of Charleston County, if so much be needed to be let out by the Supervisor on bids, and be given to the lowest competent bidder, rebidding to be required in case of the lowest bids between competent

bidders being the same in amount and coverage	800.00	
(h) For Post Mortems inside and out- side the City of Charleston, if so much be needed	300.00	
Total County Supervisor's Office		\$ 21,550.00

Item 5. For Board of Assessment:

(a) Per diem compensation, if so much be needed:		
<i>Provided</i> , That each member shall be paid herefrom from time to time at the rate of \$1,000.00 for a 600 hour year, as shown by sworn affidavits, filed with the County Treasurer, showing such amount of hours of absolute and actual service	\$ 8,000.00	
(b) Per diem expenses of Assessors for 1937-1938, if so much be needed	1,200.00	
(c) For Office equipment and sup- plies, if so much be needed ..	75.00	
Total, Board of Assessors		\$ 9,275.00
<i>Provided</i> , All monies remaining to the credit of the Board of Assessors for previous years be returned to the County Treas- urer.		

Item 6. For County Treasurer's Office:

(a) Salary of County Treasurer	\$ 1,500.00
(b) Salary of Chief Clerk	3,000.00
(c) Salary of Second Clerk	2,100.00
(d) Salary of Third Clerk	1,800.00
(e) Salary of Fourth Clerk	1,800.00
(f) Salary of Fifth Clerk	1,500.00
(g) Attorney	250.00

- (h) Postage, notices and envelopes to personal property taxpayers for first time in 1937, if so much be needed 125.00
- (i) Execution fees of Treasurer on property purchased at Sheriff's sales by Forfeited Land Commission, if so much be needed.. 75.00
- (j) *Provided, However,* That the County Treasurer is hereby authorized from the General County Funds to pay out a sufficient amount of money to supplement the salary he and the Auditor of Charleston County receive from the State of South Carolina, and the County salary so as to cause the County Treasurer and the County Auditor to each receive a total salary in the amount of \$4,200.00. each of said officers shall give their receipt for any sums withdrawn under this provision.

Total, County Treasurer's Office \$ 12,150.00

Item 7: For jury, witnesses' and Constables' tickets for the Court of Common Pleas, and General Sessions Court, Constables to receive a per diem of \$3.00, if so much be needed\$ 15,500.00

For jury tickets for the Civil and Criminal Court of Charleston, *Provided,* That jurors serving in the said Court shall receive \$2.50 per day, if so much be needed 3,000.00

Total for Item 7 \$ 18,500.00

Item 8: For Civil and Criminal Court:

For the salary of the Judge of said Court	\$ 2,400.00
For the salary of stenographer of said Court	1,500.00

Total, Civil and Criminal Court.. \$ 3,900.00

Item 9. Clerk of Court's Office:

(a) For salary of Clerk of Court ...	\$ 3,000.00
(b) For H. C. Behlmer, for clerical services in Clerk of Court's Of- fice	2,700.00
(c) For Wilfred V. Patterson, for clerical services in Clerk of Court's office	2,100.00
(d) For an Attorney	250.00
(e) Extra Janitor in the Court House	550.00

Total, Clerk of Court's office \$ 8,600.00

Item 10: For Office of Register of Mesne
Conveyance:

(a) Salary of Register of Mesne Con- veyance	\$ 3,600.00
(b) Deputy	2,100.00
(c) Clerks (5)	6,000.00
(d) Office Boy	900.00
(e) For rebinding and care of books and records, if so much be needed	500.00
(f) Incidental expenses, payable on Warrant of Register of Mense Conveyance	300.00

Total, Register of Mesne Con-
veyance Office \$ 13,400.00

Item 11: For Master's Office:

(a) For salary of Stenographer of Master	\$ 720.00	
Total for Master's Office		\$ 720.00

Item 12: Judge of Probate's Office:

(a) Stenographer	\$ 1,000.00	
(b) For examining and committing lunatics within and outside of City of Charleston, if so much be needed	500.00	
(c) Clerk	1,500.00	
(d) Recopying and rebinding of old books, if so much be needed ..	400.00	
Total, Judge of Probate's Office.		\$ 3,400.00

Item 13: For Magistrates and Constables:

Each Magistrate in the City of Charleston shall receive a salary of \$1,800.00. The Constables for such Magistrates shall receive a salary of \$1,000.00. The Magistrate at Second St. James Goose Creek Parish shall receive a salary of \$1,800.00, and for office rents and expenses, \$300.00. One of his Constables shall receive a salary of \$1,020.00, and the other a salary of \$720.00. The Magistrate at St. Andrews Parish shall receive a salary of \$1,500.00. His Constable shall receive a salary of \$600.00. The Magistrate at St. James Santee shall receive a salary of \$660.00 and his Constable shall receive a salary of \$360.00. The Magistrate at James Island shall re-

ceive a salary of \$720.00 and his Constable shall receive a salary of \$360.00. Each of the other Magistrates in the County shall receive a salary of \$600.00 and the Constable of each Magistrate in the last named group shall receive a salary of \$360.00, which shall be paid to them in person, or on written order, separate order required for each payment, the signature of the Constable being witnessed by a person who can write, other than the Magistrate.

Total, Magistrates and Constables, if so much be needed.....	\$ 27,000.00
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Item 14. Expenses County Police Commission:

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|--|-----------|
| (a) To be used for expenses, stationery and printing, of County Police Commission, to be paid on warrants of the Chairman of the same Commission, if so much be needed | \$ 100.00 |
| (b) Per Diem for five (5) Commissioners, if so much be needed.. | 300.00 |
| (c) Salary, Commissioner-Secretary . | 60.00 |
| (d) Group Insurance for County Police force, if so much be needed, said amount to be paid on voucher of Chairman of said Board | 275.00 |

Total, County Police Commission	\$ 735.00
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Item 15: For County Policemen and traffic officers, if so much be needed:

- | | |
|---|-------------|
| (a) Salary of Director of County Police | \$ 2,400.00 |
|---|-------------|

(b) Salary of Chief of County Police per annum	2,100.00	
(c) Salary of fourteen (14) County Policemen	21,000.00	
Allowance of \$50.00 per month for upkeep of automobiles of County Policemen, and \$50.00 per month for upkeep, main- tenance, repairs and replacement of motorcycles of Traffic Of- ficers; the Director of County Police and the Chief of County Police each to receive \$50.00 per month for upkeep of auto- mobiles	9,600.00	
(d) Telephone rent and long distance charges for Chief of County Po- lice, payable on his warrant, if so much be needed	75.00	
Total, County Policemen		\$ 35,175.00
Item 16: For the Coroner's Office:		
(a) Salary of Coroner	\$ 3,600.00	
(b) Salary of Deputy Coroner	2,000.00	
(c) Auto Expense	250.00	
Total, Coroner's Office		\$ 5,850.00
Item 17: For the County Sheriff's Office:		
(a) Salary of County Sheriff	\$ 4,500.00	
(b) Salary and expenses of Frank J. Simmons, Deputy Sheriff	3,000.00	
(c) Salary of W. J. Bennett, County Jailor	2,700.00	
(d) Matron of County Jail (to be em- ployed when necessary at a sal- ary not to exceed \$2.00 per day)	100.00	
(e) Salary of Linder, office clerk	1,200.00	
(f) Salary of Marion S. Corby, for serving papers and jury sum-		

mons in Court of Common Pleas and General Sessions, who shall also serve as Constable and Bailiff of the Civil and Criminal Court of Charleston when required	1,500.00
(g) Salary of Deputy Jailor	1,800.00
(h) Salary of day guard	1,425.00
(i) Salary of deputy night jailor ...	1,800.00
(j) Salary of night watchman	1,425.00
(k) Traveling expenses and auto hire for Sheriff payable on warrant or voucher of Sheriff	250.00
(l) For food and supplies in County jail, if so much be needed	5,000.00
(m) J. Waites Waring, Sheriff's At- torney	250.00
(n) Salary of Jail Physician	900.00
(o) Postage and stationery; expense of telephone and official and long distance messages and tele- grams, if so much be needed, to be paid on presentation of itemized bill	350.00
(p) For Sheriff's fees, costs and ex- penses as provided in paragraph 3 of Act No. 112 of the Acts of 1927, to be paid, as therein provided, if so much be needed	1,000.00
(q) For E. H. Boinest, for Clerical services in collection of delin- quent taxes	3,000.00
(r) For J. M. Poulnot, Jr., for clerical services in collection of delin- quent taxes	\$ 1,800.00
(s) For Mrs. Hazel F. Appleby, for clerical services in collection of delinquent taxes	900.00
<i>Provided, That the Sheriff of Charleston County shall quarter-</i>	

ly remit and pay over to the County Treasurer of said County to be placed in the General Funds of said County so much of the fees authorized by law and collected by him on delinquent tax executions in his hands as equals one-fourth of the total of the amounts appropriated in subdivisions (q), (r) and (s) of Item 17 of Section 1 of this Act, for clerical expenses in the collection of such executions, so that said County shall thereby be reimbursed for such expenses so paid by it; and the said sheriff to keep and retain for himself the remainder of such fees.

Total, Sheriff's Office	\$ 32,900.00
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Item 18: Board of Tax Appeals:

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|---|-----------|
| (a) For members, if so much thereof
be needed | \$ 225.00 |
| (b) Traveling expenses for members,
if so much thereof be needed.. | 75.00 |
| (c) Incidental expenses of Board, in-
cluding stenographer from time
to time as needed, if so much
thereof be needed | 100.00 |

Total, Board of Tax Appeals ..	\$ 400.00
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EDUCATION AND PUBLIC WELFARE

Item 19. College of Charleston:

- (a) To be paid to the Trustees of the College of Charleston on their warrant by the County Treasurer and to be used for Gen-

eral College purposes, and to be paid in monthly installments upon application by the Board of Trustees of the College of Charleston: <i>Provided</i>, That the Board of Trustees may in their discretion, after investigation, require the payment of tuition by any person desiring entrance as a student		\$ 20,000.00
(b) For establishment and operation of Forestry School		5,000.00
Total, College of Charleston . . .		\$ 25,000.00

Item 20: Charleston Museum:

To be paid by County Treasurer monthly for work in Charleston County, collecting, repairing and installing and maintaining relics and specimens of South Carolina and for publication of the same; an account to be kept of the expenditures of this fund and submitted to the Charleston Delegation of the General Assembly at least one week before the meeting of the General Assembly: *Provided*, That the Director or other responsible officer of the Museum shall file quarterly with the County Treasurer of Charleston County an itemized statement under oath showing the expenditure in detail of all amounts and income received by said Museum and its trustees from this appropriation, and all other sources; such statement to show

among other things, the salaries
as well as the recipients 8,000.00

Total, Charleston Museum \$ 8,000.00

Item 21: Charleston County Public Welfare
Board:

(a) For welfare, health and public
charity agencies and activities,
and for contributions and aid to
Eleemosynary Health Institu-
tions and activities in Charles-
ton County, to be set up by the
County Treasurer of Charleston
County, in a separate fund, as
provided in Section 7 of the Act
of 1937, entitled "An Act to
Create the Charleston County
Welfare Board, and to Define
its Powers and Duties", etc.,
and paid out by said County
Treasurer in accordance with
the provisions of said Act\$180,400.00

(b) For compensation of Executive
Secretary and clerical, steno-
graphic and other expenses of
said Secretary and Board, to
be expended and paid out in
such amount, at such time, and
for such purposes as directed in
resolution or resolutions adopt-
ed by said Welfare Board 4,500.00

Total, Charleston County Welfare
Board \$184,900.00

Item 22: Charleston Free Library:

(a) For aid in establishing and main-
taining a free library for use
of the citizens of City and
County of Charleston the sum of

twenty thousand (\$20,000.00) dollars to be paid by the County Treasurer to Trustees of the Charleston Free Library on warrant of the President of the Board of Trustees of the Charleston Free Library. This appropriation is also conditioned that the President of the Board of Trustees of the said library, or other responsible official of said Library designated by the President, shall file monthly with the County Treasurer of Charleston County an itemized statement under oath showing the expenditures in detail on all the amounts and income received by said Library, or its boards and departments, from this appropriation, and all other sources, such statement to show, among other things, the salaries paid as well as the recipients ..\$ 20,000.00

Total, of Charleston Free Library \$ 20,000.00

Item 23: For Home Demonstration Agent
of Charleston County:

- | | |
|--|-----------|
| (a) Salary Home Demonstration Agent | \$ 600.00 |
| (b) Salary of Stenographer, full time,
will be paid out on warrant of
County Home Demonstration
Agent | 720.00 |
| (c) For Colored Home Demonstration
work | 600.00 |
| (d) For Boyds 4 H Club Work..... | 100.00 |
| (e) For expenses of girls of Charles-
ton County for encampment at
Camp Harmon..... | 400.00 |

- (f) For County Demonstration Agent
to be used for 4 H Boys' Club 300.00

Total \$ 2,720.00

Item 24: Court of Domestic Relations:

- (a) Salary of Judge.....\$ 3,600.00
 (b) Salary of Probation Officer..... 1,500.00
 (c) Salary of Clerk..... 1,500.00
 (The clerk to act as stenographer
except in case of unusual work)
 (d) Contingent Fund, for miscellaneous
expenses, including traveling ex-
penses of Judge and Attorney,
when required, and expense of
litigation on appeals to Supreme
Court, and printing or procuring
forms, stationery, books and
records, and copies of the Acts
by which the Court was created
and the rules of the Court in
pamphlet form: *Provided*, that
of a fee fixed by the Judge to
cover the cost of said printing,
but not exceeding 35¢ each.... 400.00
 (e) For extra stenographic hire, if so
much be needed..... 300.00
 (f) To Judge, for 1936-1937 traveling
expenses, payable on his warrant 110.00

Total, Court of Domestic Rela-
tions \$ 7,410.00

Item 25: For aid in maintaing the Gibbs
Art Gallery to be paid by the
County Treasurer to the Trus-
tees of the Gibbs Art Gallery
on warrant of the President of
The Carolina Art Association.
This appropriation is also con-
ditioned that the President of

the Carolina Art Association or other responsible official of said association designated by the President shall file monthly with the County Treasurer of Charleston County an itemized statement under oath showing the expenditures in detail on all the amounts and income received by said Gibbs Art Gallery or its Boards and Departments from this appropriation and all other sources, such statement to show, among other things, the salaries paid as well as the recipients..\$ 5,000.00

MISCELLANEOUS

Item 26. State Military Companies in the County of Charleston, twenty-five hundred (\$2,500.00) dollars to be paid by the County Treasurer to their Commanding Officers in proportion to the attendance of the members of the companies at stated and regular drills of said companies: *Provided*, That this appropriation is paid monthly only to the active State Militia Companies.....\$ 2,500.00

Provided, Further, That one-half of this appropriation shall be paid on July 1, 1937, to the military companies on the same basis as in 1936, and the remainder of this appropriation is to be paid on or after January 1, 1938.

United States Naval Reserve..... 800.00

Total, Militia Companies..... \$ 3,300.00

Item 27. Charleston County Traffic Bureau:

- (a) For the maintenance and operation of a Traffic Bureau for Charleston County from July 1, 1937, to June 30, 1938; under the same terms, conditions, restrictions and limitations upon which the 1936 appropriation was made available and payable.....\$ 6,000.00
- (b) For T. J. Burke, in reimbursement of expenses, etc., in connection with testimony in Santee-Cooper case and before Legislative Committees 500.00

Total, Charleston County Traffic Bureau \$ 6,500.00

- Item 28. For Special Expenses in taking finger printing in Charleston County outside of the City of Charleston, to be paid to the City Treasurer of the City of Charleston\$ 300.00

Total Item 28..... \$ 300.00

- Item 29. Necessary expenses of Solicitor's Office in connection with return of prisoners to County for trial, plats, photographs, and other unusual items of expense in the prosecution of cases, not provided for otherwise, by law, to be paid upon the order of any Circuit Judge, approving the same, if so much be needed....\$ 300.00

Total Item 29..... \$ 300.00

§ 2. That for the purpose of providing for the maintenance and operation of the North Charleston Water and Sewer District the County Auditor of the County of Charleston shall levy, upon the

written approval of the Senator and a majority of the Members of the House of Representatives for Charleston County, a tax of such number of mills upon the taxable property within the territorial limits of the said district as will, together with the funds and income of said district from all other sources, be sufficient to carry out the duties and functions of the Commission of said district, all or any of them, provided in Act No. 400 of the Acts of 1936, creating the said district and Commission. Said tax shall be levied and collected by the same officers and in the same manner as is provided for the collection of taxes levied for corporate purposes in Charleston County, and the monies so collected, shall be placed in a separate fund by the County Treasurer and paid out on the warrants of the Commissioners of said District.

§ 3. The salaries and compensation fixed and appropriated in Section 1 of this Act have been determined in the light of the experience, ability, and fitness of each officer and the employee thereby appropriated for, and shall be payable and paid only to the officer or employee of said County holding the respective office or position at the beginning of the fiscal year for which the same is by this Act fixed and appropriated, namely, on July 1, 1937. In case of any change or vacancy during such period, the salary or compensation of the successor for the remainder of such period shall be fixed in each case by resolution duly adopted by the Senator and a majority of the members of the House of Representatives for Charleston County, at a meeting duly called and held, provided the amount so fixed shall in no case exceed the amounts fixed and appropriated by Section 1 of this Act; and the County Treasurer shall pay the salary or compensation fixed by such resolution or resolutions only upon receipt of a copy of the same attested by the signatures of those voting for the adoption of the same.

§ 4. (a) That any officer, board or commission of Charleston County, or any department or sub-division thereof, offering for sale any bonds or bond issue of said County, or any sub-division thereof, or any bonds owned by said County, shall advertise the same for sale in a newspaper of general circulation in said County at least once not less than seven days before selling or agreeing to sell the same, the right to be reserved to reject any or all bids therefor.

(b) That any division, sub-division, department, board, officer or commission of Charleston County purchasing or procuring any supplies, equipment, material, or other property for use for public purposes, or any insurance on property of or otherwise required in the

operation of said County, shall advertise therefor in a newspaper of general circulation in said County at least once not less than seven days before procuring or purchasing or agreeing to purchase the same, the right to be reserved to reject any or all bids thereon; *Provided*, That the provisions of this sub-section shall not be applicable to purchases of not exceeding \$75.00.

§ 5. That every officer and employee of the County of Charleston, who received fees by law for the performance of various duties and service in his official capacity, is hereby required to keep accurate and detailed records of such fees accrued or received, and to file in the office of County Treasurer of Charleston County on or before the tenth (10th) day of each month, after this Act becomes effective, a statement made under oath before any person authorized by the laws of this State to administer oaths, showing: (a) the gross amount of such fees accrued or received during the previous calendar month; (b) the expenses paid during such calendar month by said officer or employee from such fees for the operation of their respective offices or for county purposes, specifying the same; (c) the unpaid amount of such fees as may have been handled on credit by said officer or employee, (d) the net amount of the fees for said month actually received by said officer or employee which net amount shall be the gross amount referred to in sub-division (a) hereof, less the amounts referred to in sub-division (b) and (c) hereof.

In every such statement filed after the statement filed on the tenth day of the month next following the approval of this Act, there shall be added to the net amount referred to in sub-division (d) hereof the total amount collected during the calendar month covered by such statement of such fees as may have been handled on credit in any previous month; and the total thus secured shall be the net amount as to such statements.

Such statements shall be preserved by said County Treasurer and made available to the Senator and Members of the House of Representatives for Charleston County, or any of them upon request, and any or all of said records may be made public upon the authorization and direction of a majority of the whole Legislative Delegation for said County.

§ 6. That an Act No. 241, of the Acts of 1929, entitled "An Act to amend Section 2715, of the Civil Code of South Carolina, 1922, Relating to Special School Tax in Charleston County, so as to Increase the Levy", be, and the same is, hereby amended by adding at the end of Section 1 of the said Act, the following: *Provided*, That

one-fourth ($\frac{1}{4}$) of the proceeds of said four (4) mills levy derived from School District Number Four (4) shall be for the year 1937 paid over by the County Treasurer to the Board of School Trustee of School District Number Four (4) to be expended by the said Board of School Trustees for educational purposes in School District Number Four (4).

(b) All Acts or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency."

§ 7. For the purpose of the operation of the schools in all school districts in the County of Charleston for the year 1937-1938, the County Auditor for Charleston County is hereby authorized and directed to levy for the year 1937, such number of mills on the dollar on all taxable property in said school districts as shall be directed and approved in writing by the Senator and a majority of the members of the House of Representatives from Charleston County.

(b) All Acts or parts of Acts inconsistent herewith are hereby suspended for the year 1937.

§ 8. That on or before the first day of February, of each year, the County Supervisor shall transmit to the members of the Legislative Delegation an itemized statement of the disbursements of each item of this Act, showing all unexpended balances.

§ 9. For the purpose of paying in cash the foregoing and all other general and ordinary county expenses for the fiscal year, beginning July 1st, 1937, and ending June 30th, 1938, as authorized by this Act, or otherwise appropriated, the County Treasurer for the said County of Charleston be, and he is, hereby authorized and directed to use such cash as is now in hand or in process of collection, and to borrow from time to time, as may be necessary on his official note, or notes, or other evidence or evidences of indebtedness, from any special fund, or funds, including sinking fund in the County Treasury; *Provided, However,* That if such monies are to be borrowed from any private person, firm or corporation, then they shall be borrowed only after three days' notice by advertising once in some newspaper in the City of Charleston, and on the best terms possible, but at a rate of interest not exceeding five (5%) per cent per annum, a sum of sums not exceeding one hundred and seventy-five thousand (\$175,000.00) dollars in the aggregate, and the sum or sums so borrowed shall constitute a valid and prior claim against the County; *Provided, Further,* That approval for such loan and the

rate of interest thereon to be paid shall be given in writing by the Senator and a majority of the members of the House of Representatives for Charleston County.

§ 10. The salaries of all officers, clerks and employees of the County or of any department, division, or commission thereof, except the Sanitary and Drainage Commission, and the City Board of Public School Commissioners for the City of Charleston shall be paid by the County Treasurer monthly upon receipt of such officers, accepting payments on said notes or similar evidence of indebtedness, and upon warrant of the said County Supervisor. All claims and demands of every kind against the said County, except such salaries and County Treasurer's notes and the certificates or tickets of witnesses and jurors and constables, shall be itemized before they can be audited, and when so itemized, shall be audited by a Committee of at least three members of the County Board of Commissioners, and no such claims or demands shall be paid unless first so audited, and then certified and signed by the Clerk or Secretary of the Board as aforementioned or by the County Supervisor; *Provided, Further,* That all county officers may close their offices at one o'clock P. M. on Saturday of each week throughout the year, and, in addition thereto, on Wednesday of each week during the months of July and August at one P. M.; *Provided,* That the offices of the County Sheriff, Clerk of Court; County Treasurer, County Auditor and Register of Mesne Conveyance shall remain open after one P. M. on such Wednesday by having at least one official or employee on duty in each such respective office.

§ 11. It shall be unlawful for the authorities of any school district in Charleston County to sell any unsold portion of a bond issue heretofore issued or sanctioned or to issue the remaining portions of any issue heretofore sanctioned by which a portion thereof has not been issued without first obtaining the consent of the Senator and a majority of the members of the House Delegation from Charleston County, said consent to be put in writing at a regularly called meeting of said Legislative Delegation called for said purpose.

§ 12. That the County Treasurer, County Supervisor and Treasurer of the Sanitary and Drainage Commission shall each, on or before the 10th day of each calendar month, publish in a newspaper published in Charleston County, an itemized statement of all disbursements of public funds of said County made by such officer in

the preceding calendar month, except salaries fixed and itemized in this Act. *Provided*, That neither the County Treasurer nor the Treasurer of the Sanitary and Drainage Commission shall publish any amounts included in the statements of the County Supervisor.

§ 13. All Acts or parts of Acts inconsistent with this Act, not hereinabove repealed, are hereby suspended for the fiscal year beginning July 1, 1937, and ending June 30, 1938.

§ 14. This Act shall take effect upon the 1st day of July, 1937.

Approved the 1st day of May, 1937.

(2)

No. 436.

**AN ACT Granting Rights of Way for Pipe and Power Lines
Along Cosgrove Avenue, Charleston County.**

Whereas, Commissioners of Public Works of the City of Charleston which has control of and operates the municipal water supply is constructing an aqueduct for transporting water from the Edisto River to the Goose Creek Plant of the Commissioners for the purpose of furnishing water to the City of Charleston and other localities; and

Whereas, the West Virginia Pulp and Paper Company is constructing a large pulp and paper plant on a site owned by the City Council of Charleston and bounding on the Cooper River in the County of Charleston and the said Commissioners of Public Works of the City of Charleston have contracted with the said West Virginia Pulp and Paper Company to furnish and sell to it large quantities of water and to obtain the necessary rights of way for constructing pipe lines and incidentals for the transportation and pumping of saidwater; and

Whereas, it is found necessary to lay pipe lines and conduits for the transportation of water and electric current for power along a portion of Cosgrove Avenue, a public highway in the County of Charleston, from a point approximately where the Seaboard Air Line Railway's right of way crosses the said Cosgrove Avenue to a point where the said Cosgrove Avenue passes through the land owned by the City Council of Charleston and under lease to the said West Virginia Pulp and Paper Company where it is constructing its plant as aforesaid; and

Whereas, the said West Virginia Pulp and Paper Company has agreed to undertake and provide the costs of construction and mainte-

nance of the said rights of way and pipe lines and conduits and incidentals; *now, therefore,*

Section 1. West Virginia Pulp and Paper Co. construct, install, lay and maintain pipe and power lines along Cosgrove Avenue, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That the West Virginia Pulp and Paper Company is hereby granted the right and privilege of constructing, installing, laying and maintaining pipe lines and conduits for the transportation of water and electric current for power along the rights of way of Cosgrove Avenue approximately where the same intersects with the right of way of the Seaboard Air Line Railway to lands which were formerly owned by the United States of America and recently conveyed to the City Council of Charleston and now under lease to the said West Virginia Pulp and Paper Company; provided that the installation and maintenance of all of the same shall be under the supervision and subject to the approval of the engineer of the Sanitary and Drainage Commission of Charleston County and that the said West Virginia Pulp and Paper Company shall construct and maintain all of the foregoing with due regard to the use of the said Cosgrove Avenue as a highway and shall be responsible for any harm or damage that may result from this grant and the use of the said rights of way.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of January, 1937.

(18)

No. 437.

AN ACT to Authorize the Treasurer of Charleston County, S. C., to Borrow Not Exceeding \$100,000.00 on Short Term Notes, for Certain General Purposes, and to Provide for the Issuance of Said Notes from Time to Time and to Levy Taxes for Their Payments.

Section 1. Charleston County borrow for certain general purposes—issue notes.—Be it enacted by the General Assembly of the State of South Carolina: That the Treasurer of Charleston County, S. C., be and is hereby authorized and directed to borrow not exceeding the sum of \$100,000.00 and as evidence of the indebtedness

to execute note or notes of Charleston County, S. C., payable to bearer and maturing not later than June 30, 1938, at such time or in such series or installments as he may in writing be directed by the Senator and a majority of the Charleston County Delegation. The proceeds of said notes to be used for the following purposes, all or any of them, as may in such written directions be specified from time to time, to wit: To finance the County's portion of all PWA, WPA, FERA, and other Federal Projects in which the County has the sponsor's interest; and to finance the purchase of all real estate, buildings, land, rights-of-way, equipment, materials, and supplies, as may be authorized by the Charleston County Legislative Delegation, during the period from January 1, 1937 through June 30, 1938; to establish a County chain gang camp, by purchasing such land, materials and supplies as may be necessary or desirable therefor, if and when requested by the Sanitary and Drainage Commission for Charleston County and approved by the Senator and a majority of the members of the Charleston County Legislative Delegation; to construct, maintain and operate such county roads of Charleston County as may be requested by the said Sanitary and Drainage Commission and approved by the Senator and members of the Charleston County Legislative Delegation.

§ 2. Execution of notes.—The said notes shall be signed in the name of Charleston County by the County Treasurer and for the payment thereof both principal and interest the full faith and credit of Charleston County shall be pledged.

§ 3. Payment.—There shall be levied annually by the Auditor and collected by the Treasurer as other county taxes are levied and collected a tax upon all taxable property in Charleston County sufficient to pay the principal and interest of said notes as they respectively mature.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 3rd day of February, 1937.

(17)

No. 438.

AN ACT to Amend Act No. 1038 of the Acts of 1936, Entitled "An Act to Provide for the Levy of Taxes for Charleston County for the Fiscal Year Beginning July 1, 1936, and Ending June 30, 1937, for School, County and Other Purposes and to Di-

rect the Expenditure Thereof, and Relating to Other County Matters of Charleston County'', Approved 28th, 1936, by Making Further Provisions with Reference to the Payments of the Salaries and Compensation Therein Fixed and Appropriated, and the Persons to Whom Payable, and the Fixing of Salaries and Compensation in the Event of Changes or Vacancies.

Section 1. Act 1038, 1936 Acts, amended—payment of salaries and compensation, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 1038 of the Acts of 1936, entitled "An Act to Provide for the Levy of Taxes for Charleston County for the fiscal Year Beginning July 1, 1936, and Ending June 30, 1937, for School, County and Other Purposes and to Direct the Expenditure Thereof, and Relating to Other County Matters of Charleston County", approved May 28th, 1936, be, and the same is hereby, amended by adding thereto a Section, after Section 1 and before Section 2, to be known as Section 1-A, reading as follows, to wit:

"Section 1-A. The salaries and compensation fixed and appropriated in Section 1 of this Act have been determined in the light of the experience, ability, and fitness of each officer and employee thereby appropriated for, and shall be payable and paid only to the officer or employee of said County holding the respective office or position at the beginning of the fiscal year for which the same is by this Act fixed and appropriated, namely, on July 1, 1936. In the case of any change or vacancy during such period, the salary or compensation of the successor for the remainder of such period shall be fixed in each case by resolution duly adopted by the Senator and a majority of the members of the House of Representatives for Charleston County, at a meeting duly called and held, provided the amount so fixed shall in no case exceed the amounts fixed and appropriated by Section 1 of this Act; and the County Treasurer shall pay the salary or compensation fixed by such resolution or resolutions only upon receipt of a copy of the same attested by the signatures of those voting for the adoption of the same."

§ 2. All Acts or Parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 3rd day of February, 1937.

(275)

No. 439.

AN ACT to Authorize and Empower School District No. 20 of Charleston County, the State of South Carolina, Otherwise Known as City Board of Public School Commissioners for the City of Charleston, South Carolina, to Donate, Assign, Transfer and Convey Its Property at the Northwest Corner of Meeting and George Streets, in the City of Charleston, South Carolina, to the City Council of Charleston.

Section 1. School District No. 20, Charleston County, convey certain property to city council of Charleston for educational or recreational purposes.—Be it enacted by the General Assembly of the State of South Carolina: That School District No. 20 of Charleston County, the State of South Carolina, otherwise known as City Board of Public School Commissioners for the City of Charleston, South Carolina, be, and they are, hereby authorized and empowered to donate, assign, transfer and convey to the City Council of Charleston, its successors and assigns, the property at the Northwest corner of George and Meeting Streets, in the City of Charleston, South Carolina, extending from George Street on the South to Burns Lane on the North for such use or uses in connection with such recreational or educational purposes as the said City Council of Charleston shall determine, said property at all times to be devoted to uses incidental to recreational or educational purposes, and the said City Council of Charleston to be authorized to make conveyance thereof to any educational institution it may choose, in order to carry out such purposes, upon the same restrictions as to purpose and uses, the said property to revert to School District No. 20 of Charleston County, the State of South Carolina, otherwise known as City Board of Public School Commissioners for the City of Charleston, South Carolina, to be held under the terms and provisions of the Act of the General Assembly of South Carolina approved the 30th. day of March, 1925, being an Act to amend an Act entitled "An Act Relating to the High School of Charleston" etc., in the event of its use for any other purpose or purposes.

§ 2. That a'l Acts or parts of Acts inconsistent herewith be, and the same are, hereby repealed to the extent of such inconsistency.

§ 3. That this Act shall take effect immediately upon its approval by the Governor.

Approved the 8th day of April, 1937.

(211)

No. 440.

AN ACT to Authorize the Trustees of School District No. 1 of Charleston County at McClellanville to Borrow or Issue Bonds Not Exceeding Seven Thousand (\$7,000.00) Dollars to Supplement Funds Provided by the Federal Government or Some Agency Thereof for the Construction and Equipment of a Combination Auditorium and Gymnasium for Said School District.

Section 1. School District No. 1, Charleston County, issue bonds or borrow erect and equip auditorium and gymnasium.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of School District No. 1 in Charleston County, comprising McClellanville, are authorized, empowered and directed to issue and sell serial coupon bonds of said District not exceeding Seven Thousand (\$7,000.00) Dollars, or to borrow not exceeding this amount on notes of the District, the proceeds of the sale of the Bonds or notes to be used by the District to furnish the District's portion of the costs of erecting and equipping a combination auditorium and gymnasium for the School in the said District. The remainder of the costs to be secured from the United States Government or some agency thereof.

§ 2. Sell bonds or issue notes.—That the Trustees of the said District are authorized and empowered to sell the Bonds or issue the notes, as they may determine, without any election being had on any such question. They are likewise empowered to determine the maturities of the Bonds or obligations that may be sold or negotiated, the rate of interest that the same will bear, the manner of sale, and all other matters ordinarily incident to the consummation of such a transaction. The principal of such obligations, however, shall be executed on behalf of the District by the Trustees or a majority thereof, one of whom must be the Chairman, and the Treasurer of Charleston County; *Provided*, That, in the event the bonds are sold, the coupons may be signed only by the Chairman of the Board of Trustees. When the obligations have been issued under the terms of this Act, the Treasurer of Charleston County shall file with the Auditor a list of the obligations, showing the amounts and their respective maturity dates.

§ 3. Payment.—It is hereby made the duty of the Auditor to levy annually, and of the Treasurer of Charleston County to collect a tax as other taxes are levied and collected on all of the taxable

property in the said School District, sufficient to meet the payments of the principal and interest on the said obligations as they mature. The taxes herein authorized to be levied are pledged to secure the payment of the principal and interest on the obligations issued under the terms of this Act. Not only so, the full faith, credit and taxing power of the said District are irrevocably pledged to secure the payment of the sums of money realized or borrowed under the terms of this Act in accordance with the instruments evidencing the same.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 24th day of March, 1937.

(225)

No. 441.

AN ACT to Authorize for the School Year 1937-1938 the Extension, without Advertisement or Rebidding, of Existing Transportation Contracts in School Districts in Charleston County.

Section 1. Extend existing transportation contracts for school year 1937-1938 without re-advertisement and rebidding, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That for the school year 1937-1938, the County Board of Education of Charleston County shall, upon the recommendation of the board of trustees of any school district in said county, renew any existing contract or contracts for the transportation of pupils for an additional period of one (1) year without re-advertisement and rebidding, provided such recommendation shall certify that the person with whom a contract is proposed to be renewed remains responsible at the time of the renewal, and his equipment is in proper condition to render satisfactory service, and that the renewal of the contract is consistent with the best interests of the public and the particular school district or districts concerned; and in deciding upon the responsibility of such persons, not only the financial responsibility, but also the disposition, carefulness, efficiency, past record and all qualities and qualifications of the respective contractors must be considered.

§ 2. All Acts or parts of Acts inconsistent with this Act are repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 26th day of March, 1937.

(303)

No. 442.

AN ACT to Amend Act No. 1046 of the Acts of 1936, Entitled "An Act to Provide for the Creation and Establishment of a Sewer District in Charleston County to be Known as St. Phillips and St. Michaels Public Service District," Etc., so as to Authorize the Expenditure of the Funds of Said District for the Purposes of Said Act Without Restriction Upon the Use of Such Funds for Any Particular Purpose.

Section 1. Act 1046, 1936 Acts, amended—expenditure of funds, St. Phillips and St. Michaels public service district, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 8 of Act No. 1046 of the Acts of 1936, entitled "An Act to Provide for the Creation and Establishment of a Sewer District in Charleston County to be Known as St. Phillips and St. Michaels Public Service District," etc., be and the same is hereby amended by striking out said section and inserting in lieu thereof the following, to be known as Section 8:

"Section 8: That in addition to the millage now provided by law for the maintenance and operation of the St. Phillips and St. Michaels and Water District, the proceeds of which shall be by the County Treasurer of Charleston County placed to the credit of the said Public Service District Commission, the County Auditor of Charleston County shall annually levy, subject to the approval of the Charleston County Delegation in the General Assembly, and the County Treasurer of Charleston County shall annually collect a tax of one mill on the dollar on all taxable property in the territorial limits of said Public Service District, the proceeds of which shall by said County Treasurer be placed to the credit of said Public Service Commission, and all of such funds provided to be placed to the credit of said Public Service District Commission by this section shall be paid out on the warrants of its Chairman and Secretary, and shall be used by the said Commission for carrying out any or all of the purposes and provisions of this Act, as shall be determined by said Commission, without any restriction upon the use of any such millage for any particular purpose, heretofore imposed or provided."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(613)

No. 443.

AN ACT to Authorize the Relocation of a Portion of Kraft Avenue in Buckfield in the Parish of St. Phillips and St. Michaels by the Sanitary and Drainage Commission of Charleston County and to Authorize the Acceptance by Said Sanitary and Drainage Commission of the Land Necessary Therefor, and the Closing of the Abandoned Portion.

Section 1. Relocate portion of Kraft Avenue in Buckfield, parish of St. Phillips and St. Michaels, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That the Sanitary and Drainage Commission of Charleston County is hereby authorized and empowered to change the location of the entrance to the Street running in a general northwesterly direction from Reynolds Avenue in Buckfield, in the Parish of St. Phillips and St. Michaels, in Charleston County, known as Kraft Avenue, from its original location as shown on a Plat on file in the office of the Sanitary and Drainage Commission of Charleston County to the one now used, and to accept on behalf of the County of Charleston from the said J. H. Wallace a deed to the strip to be cut off from Lot 50 as shown on the Plat in the office of the Sanitary and Drainage Commission marked by the letters A, B, C, and D, which will be fifteen (15) feet on Reynolds Avenue in a northeasterly direction from the present corner of Reynolds Avenue and Kraft Avenue and running back to the junction of Lot No. 50 with Lot No. 44 in the Southwestern corner of Lot No. 50, as shown on said Plat, and that the street when so located shall be a public street having the direction and dimensions shown on the said Plat in the office of the Sanitary and Drainage Commission of Charleston County.

§ 2. Close portion abandoned.—That when J. H. Wallace shall deliver a good and marketable fee simple title to Charleston County and said Sanitary and Drainage Commission shall have accepted the same for said County, as herein authorized, the said County of Charleston shall be deemed irrevocably to have abandoned any claim to the strip formerly a part of Kraft Avenue, marked E, F, G, and H on the Plat in the office of the Sanitary and Drainage Commission of Charleston County above referred to, and said Sanitary and Drainage Commission is hereby authorized and empowered, with

the consent of the land owners whose lands adjoin said strip to close the same.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 15th day of May, 1937.

(469)

No. 444.

AN ACT to Authorize the Issuance by Charleston County, South Carolina, of Bonds, the Proceeds Thereof to be Used for Certain General Purposes and to Provide for a Tax to Pay the Principal and Interest of Said Bonds.

Section 1. Charleston County issue bonds for certain general purposes—time issue.—Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Commissioners of Charleston County, South Carolina, be, and are hereby authorized and empowered to issue coupon bonds of Charleston County in the aggregate amount of not exceeding Three Hundred Thousand (\$300,000) Dollars, payable to bearer, the proceeds thereof to be used for all or any of the following purposes, to wit: for purchase of equipment, supplies, lands, rights of way, and materials, and the construction, purchase and improvement of roads, bridges, and buildings, and to finance the County's portion of all PWA, WPA, FERA and other Federal Projects in which the County has the sponsor's interest, and to retire and pay any or all outstanding notes or obligations of said County existing at the time of such issuance; *Provided, However,* that none of said bonds shall be issued prior to July 1st, 1937 or subsequent to November 1st, 1938.

§ 2. Issues—interest—maturities.—The said bonds may be issued either as a single issue or from time to time in separate issues, and in such amounts and at such times as the County Board of Commissioners of Charleston County shall be requested in writing by the Senator and a majority of the members to the House of Representatives from Charleston County. The said bonds shall bear such rate or rates of interest, payable semi-annually, as shall not exceed the maximum rate designated in the request for the issuance of the same and shall mature at such time or times, in such series or installments, which may be in equal or unequal amounts as shall be contained in said written request; *Provided, However,* that annual installments of any of such series shall begin to mature not

later than January 1st, 1942, and the last annual installment of any of such series shall mature not later than ten (10) years after their date.

§ 3. **Execution.**—The bonds shall be signed by the County Supervisor of Charleston County, attested by the Clerk of the Board of County Commissioners of Charleston County, under the seal of the County Supervisor; the lithographed or engraved signature of the County Supervisor upon the coupons attached to said bonds shall be a sufficient signing of the same.

§ 4. **Sale—deposit and disbursement of proceeds.**—The bonds shall be sold by the Treasurer of Charleston County, at either private or public sale as he may be directed in writing by the Senator and a majority of the Charleston County Delegation, and the proceeds of sale of said bonds shall be kept separate and distinct from other funds by the Treasurer of Charleston, and paid out solely for the purpose or purposes for which issued.

§ 5. **Payment.**—For the payment of said bonds as they severally mature, and the payment of interest thereon, shall be pledged the full, faith and credit of Charleston County, and there shall be levied annually upon all taxable property in Charleston County by the County Auditor and collected by the County Treasurer a sum sufficient to pay the interest and principal on said bonds as they respectively mature.

§ 6. **Additional.**—The bonds herein authorized to be issued are in addition to all other bonds previously authorized to be issued by Charleston County.

§ 7. **Tax exempt.**—Said bonds shall be exempt from all taxes, State, County, School and Municipal.

§ 8. This Act shall take effect immediately upon its approval by the Governor.

Approved the 30th day of April, 1937.

(482)

No. 445.

AN ACT to Authorize the City Council of Charleston, South Carolina, to Issue Water Works Refunding Bonds to Refund Certain Outstanding Water Works Bonds of the City of Charleston, and to Provide for a Tax and to Pledge the Net Revenues from the Operation of the Water Works Plant to Pay the Principal and Interest of Said Bonds.

Whereas, certain four and one-half per cent ($4\frac{1}{2}$) coupon bonds of the City of Charleston, South Carolina, were heretofore issued pursuant to law, and the same are callable and the City Council of Charleston plans to call and retire the same on October the 1st, 1937, the said issue of bonds being in the amount of One Million Five Hundred Thousand (\$1,500,000.00) Dollars, and

Whereas, there are sufficient funds held in the Sinking Fund to take up a part of this issue, but in order to take up the balance it becomes necessary for the City Council of Charleston to now issue Refunding Bonds in the sum of One Million (\$1,000,000.00) Dollars, for the aforesaid purpose,

Section 1. City of Charleston issue bonds refund water works bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the City Council of Charleston, South Carolina, be, and it is hereby authorized and empowered to issue Water Works Refunding Bonds of the City Council of Charleston in an aggregate principal amount of One Million (1,000,000.00) Dollars, for the purpose of refunding the outstanding Water Works Bonds of the City Council of Charleston, callable and to be called and retired on October 1st. 1937.

§ 2. Issues—denominations—interest—maturities—register.—The said bonds may be issued either as a single issue or from time to time in separate issues. Each issue of bonds shall be in such denominations, bear such rate or rates of interest, not exceeding four per cent (4%) per annum, payable as may be fixed by the City Council of Charleston, and shall be payable, both principal and interest, in any legal tender money of the United States at such place or places, and mature in such annual series or installments beginning not later than five (5) years after the date of such issue as may be fixed by the City Council of Charleston in the Ordinances or Resolutions authorizing such issue or issues, provided that the last maturing installment of each issue shall not be more than forty two (42) years from the date such issue bears. Such annual series or installments may be equal or unequal in amount and in the rate or rates of interest they bear. The bonds shall be issued as coupon bonds, payable to bearer, but may be issued with the privilege to the holder of having them registered as to principal on the books of the City Treasurer of Charleston, South Carolina, and the principal thus made payable to the registered holder upon such conditions as the City Council of Charleston may prescribe; bonds so registered

in the name of the holder may thereafter be registered to bearer and made payable accordingly.

§ 3. Execution.—The bonds shall be signed by the Mayor and City Treasurer of the City of Charleston, attested by the City Clerk, or acting City Clerk, under the corporate seal of the City of Charleston, but the interest coupons attached to said bonds need not be authenticated otherwise than by the facsimile signature of the City Treasurer, who is in office on the date the bonds bear. The delivery of the bonds so executed shall be valid notwithstanding any changes in officers occurring after such execution.

§ 4. Sale—deposit and use of proceeds.—The City Council of Charleston is hereby authorized and empowered to sell at either private or public sale, in such manner as the City Council deems advisable, the said bonds and the proceeds of such sale shall be deposited with the City Treasurer and kept by him in a special fund and applied solely to the payment of the then outstanding bonds to refund which said bonds were issued. *Provided, However,* that any portion of such proceeds not needed for said purpose may be used for the payment of the expenses of issuing and selling said bonds or placed in a sinking fund to be used solely for the purpose of paying the interest or principal of such bonds, as it becomes due.

§ 5. Payment.—There shall be levied and collected annually, as other taxes are levied and collected, a tax upon all taxable property in the City of Charleston sufficient to pay the principal of and interest on said bonds as such principal and interest respectively become due, which tax shall be sufficient for such purpose and in addition to all other taxes authorized by law to be levied in said city; *Provided, However,* that said annual levy may be reduced in any year, during the life of said bonds, by the amount of moneys on hand from the net revenues of the operation of the water works system, applicable to the payment of said bonds, so that the total amount available from said net revenues and the tax levy shall be sufficient for said payment.

That in addition to the pledge of the full faith, credit and taxing power of the said the City Council of Charleston the said the City Council of Charleston may pledge for the payment of the said bonds, both principal and interest, the net revenues derived from the operation of the said water works system and may provide for the maintenance of water rates for the same.

§ 6. **Tax exempt.**—That said bonds shall be exempt from all state, county, school and municipal taxes.

§ 7. **Use pay water rents and taxes.**—The said interest coupons and/or principal of said bonds shall, at respective maturities, be received in the payment of water rents by consumers of water furnished by the water works system of the City of Charleston and also in payment of taxes due and payable to the City of Charleston.

§ 8. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 9. This Act shall take effect immediately upon its approval by the Governor.

Approved the 4th day of May, 1937.

(428)

No. 446.

AN ACT to Amend Act No. 1046 of the Acts of 1936, Entitled "An Act to Provide for the Creation and Establishment of a Sewer District in Charleston County to be Known as St. Phillips and St. Michaels Public Service District", Etc., so as to Make Provision for Compensation of Members of the Commission Therein Created.

Section 1. Act 1046, 1936 Acts, amended—compensation of members of St. Phillips and St. Michaels public service district commission, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 6 of Act No. 1046 of the Acts of 1936, Entitled "An Act to Provide for the Creation and Establishment of a Sewer District in Charleston County to be known as St. Phillips and St. Michaels Public Service District", etc., be, and the same is hereby amended, by adding at the end of said section the following sentence, to wit: "The members of said Commission shall be paid compensation, from the funds of the Commission, in the amount of Five (\$5.00) Dollars each for each meeting attended, not exceeding two (2) meetings in each calendar month".

So that said section, when so amended, shall read as follows:

"Section 6. That immediately upon the approval of this Act the said Board shall meet, organize and elect a Chairman and Secretary from its members. The members of said Commission shall be paid compensation, from the funds of the Commission, in the amount of

Five (\$5.00) Dollars each for each meeting attended, not exceeding two (2) meetings in each calendar month."

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(399)

No. 447.

A JOINT RESOLUTION to Exempt Admissions to the Charleston Azalea Festival for the Year 1937 from Taxation.

Section 1. Admissions to Charleston azalea festival for 1937, tournament of the gardens and certain other events exempt from taxes.—Be it resolved by the General Assembly of the State of South Carolina: That admission charges or fees to the Charleston Azalea Festival for the year 1937, and the Tournament of the Gardens, and all events sponsored by the City of Charleston in connection with the Festival, be exempt from taxation.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Resolution shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(505)

No. 448.

AN ACT to Authorize E. Bates Wilson, or His Assigns, to Build a Wharf at the Foot of the Rockville Road, Extending Into Bohicket River, Wadmalaw Island, South Carolina.

Section 1. E. Bates Wilson, or assigns, build wharf at foot of Rockville Road extending in Bohicket River, Wadmalaw Island.—Be it enacted by the General Assembly of the State of South Carolina: That E. Bates Wilson, or his assigns, be and he is hereby authorized and empowered, subject to the approval of the United States Engineering Department, to build a wharf at the foot of the Rockville Highway, extending into Bohicket River, Wadmalaw Island, South Carolina. *Provided, However,* That the provisions of this Act shall not be construed to require the removal of any wharf now existing at or near the foot of Rockville Highway, and extending into Bchicket River.

§ 2. **Repair.**—That the said E. Bates Wilson, or his assigns, shall at all times keep said wharf in proper repair so as not to be a menace to the use of the same and, upon failure to do so, all rights to allow said wharf to remain at the place of erection shall cease and determine.

§ 2-A. **Duration.**—The rights and privileges herein granted shall cease and determine on June 1st, 1947.

§ 3. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 10th day of May, 1937.

(352)

No. 449.

AN ACT to Alter the Lines of School District No. 10 and School District No. 4 in Charleston County so as to Add to the Latter That Portion of the Former Lying East of the Ashley River.

Section 1. Portion of School District No. 10 added to School District No. 4, Charleston County.—Be it enacted by the General Assembly of the State of South Carolina: That from and after the first day of July, 1937, the portion of School District No. 10 in Charleston County lying east of the Ashley River shall be taken from said School District No. 10 and added to and included in School District No. 4 in said County, and the lines of said School Districts are hereby altered and amended so that the Ashley River shall, from and after said date, be the eastern boundary of said School District No. 10 and the western boundary of said School District No. 4; *Provided*, that the taxable property in the portion of School District No. 10, hereby taken therefrom shall continue to be subject to any levy provided by law for the purpose of the retirement of any bonded indebtedness of said School District outstanding on said date, and shall not be subject to any levy provided by law for the purpose of retiring any bonded indebtedness of School District No. 4 outstanding on said date.

§ 2. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(377)

No. 450.

AN ACT to Authorize and Empower St. Phillips and St. Michaels Public Service District Commission to Construct a Fire Station, Office and Firemen's Hall in Said District, and in Order to Meet the Cost Thereof to Borrow Not Exceeding \$5,000.00, and to Provide for a Tax Levy for the Payment Thereof.

Section 1. St. Phillips' and St. Michaels' public service district commission, Charleston County, borrow construct fire station, office and firemen's hall.—Be it enacted by the General Assembly of the State of South Carolina: In addition to all other powers vested in said Commission, the St. Phillips' and St. Michaels' Public Service District Commission are hereby authorized and empowered to construct a fire station, office and firemen's hall in St. Phillips' and St. Michaels' Public Service District, and in order to meet the cost thereof to borrow upon the notes or bonds of St. Phillips' and St. Michaels' Public Service District an amount not exceeding Five Thousand (\$5,000.00) Dollars.

§ 2. Issue notes.—That the money so borrowed shall be evidenced by the notes or bonds of said Public Service District, payable in equal annual installments over a period of five (5) years from date of issue, and shall bear such rate of interest, payable semi-annually, and shall be payable at such place, as by Resolutions of St. Phillips and St. Michaels Public Service District Commission may be provided; said notes or bonds to be signed in the name of said District by the Chairman of said Commission and the County Treasurer of Charleston County, and the interest coupons, evidencing the interest, may be signed by the County Treasurer, or by his facsimile signature lithographed or engraved thereon.

§ 3. Deposit and disbursement of funds.—That the proceeds of said notes or bonds shall be held by the County Treasurer and paid out for the purposes for which said money was borrowed upon the vouchers or orders of the Chairman of said Commission.

§ 4. Payment.—That in order to provide for the payment of said notes or bonds, and the interest thereon, on the respective maturity and due dates, the County Auditor of Charleston County shall annually levy, and the County Treasurer of said County shall collect on the taxable property in the territorial limits of said Public Service District such number of mills as will, with such of the funds of said District as shall be annually set aside by said Commission for the purpose of paying such notes or bonds, and interest, be sufficient to

retire said notes or bonds and interest when due and payable: *Provided*, That before fixing and levying such millage, said County Auditor shall ascertain from said County Treasurer the amount of the funds of said District which have been set aside and provided by said Commission for the payment of said notes or bonds and interest. To secure the payment of said loan and interest, the full faith and credit of said District is hereby irrevocably pledged for the payment of the same.

§ 5. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 6. This Act shall take effect upon its approval by the Governor.

Approved the 23rd day of April, 1937.

(80)

No. 451.

AN ACT to Provide for the Levy of Taxes for School and County Purposes for the Year 1937, and to Direct the Expenditure Thereof for Cherokee County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax is hereby levied upon all the taxable property in the County of Cherokee, for County purposes, for the fiscal year commencing January 1, 1937, for the amounts and for the purposes hereinafter stated, respectively—that is to say:

§ 2. For all County purposes twenty-nine and one-half (29½) mills, to be expended as follows: Fifteen and one-fourth (15¼) mills for Ordinary County purposes; eight (8) mills for Bonds; and six and one-fourth (6¼) mills for Past Indebtedness.

Item 1. Roads and Bridges, Permanent	
Road Improvements, Convicts,	
Maintenance of Road Working	
Organizations	\$ 57,500.00

Item 2. Back Indebtedness:	
Roads and Bridges	30,467.62
Tractor Note	10,000.00
County Home	4,006.16
Court Expenses	819.82
Charity Fund	500.00
Telephone	152.12

Lunacy & Post Mortems	315.00	
Office Supplies	551.90	
Jail	10.00	
Janitor Supplies	39.20	
Total Item 2		46,861.82
Item 3. Salaries:		
Sheriff	1,000.00	
Deputy Sheriffs (2)	2,640.00	
Treasurer	832.26	
Clerical Help for Treasurer	1,100.00	
Superintendent of Education ...	1,500.00	
Clerical Help, Superintendent of Education	720.00	
Auditor	756.60	
Clerical Help, Auditor	600.00	
Attorney	75.00	
Coroner	400.00	
Janitor, Court House	900.00	
Janitor of Jail (Jake Corry)....	100.00	
Supervisor	1,650.00	
County Commissioners (6)	600.00	
Clerk, Board of County Commis- sioners	1,200.00	
Service Officer for Veterans	600.00	
Clerk of Court	300.00	
Deputy Clerk of Court	400.00	
Clerical Help for Judge of Pro- bate	300.00	
County Health Department:		
Head of Health Department	1,500.00	
Nurse, Health Department	1,400.00	
Office Supplies and Contingencies	500.00	
Secretary, Board of Health	300.00	
Total Item 3		19,373.86
Item 4. Magistrates, Constables and Rural Officers:		
Magistrates (1) in Cherokee Township	650.00	

Rent for Magistrate Cherokee		
Township	48.00	
Magistrates (2) in Limestone		
Township @ \$900.00 each ...	1,800.00	
Sheriff's Constables	2,500.00	
Constable at Blacksburg	360.00	
Rural Law Enforcement Officers		
(4)	7,200.00	
Total Item 4		12,558.00
Item 5. Board of Assessors and Equaliza-		
tion	o	1,100.00
Item 6. Jail Expenses, including dieting of		
prisoners at Fifty (50¢) Cents		4,500.00
Item 7. Jurors and Witnesses		3,000.00
Item 8. County Home, Poor House and		
Poor		6,000.00
Item 9. Printing, Postage and Stationery	2,000.00	
Insurance and Premium on Bonds		
of Officers	1,320.00	
Water and Lights for Court		
House	750.00	
Telephone and Telegraph	400.00	
Plus Installing Telephones	10.00	
Fuel for Court House	350.00	
Janitor's Supplies for Court		
House	300.00	
Total Item 9		5,130.00
Item 10. For Maintenance of Tar and		
Gravel Roads, as directed by		
County Boards		2,837.25
Item 11. Vital Statistics		325.00
Item 12. County Health Physician shall be		
the County Physician and shall		
perform such duties as pre-		
scribed in the Acts of 1934,		
Item II, Act 1016, for this serv-		
ice		400.00

Item 13. Charity Fund, hereafter explained	5,000.00
Item 14. Contingent Fund, to be paid out only on written consent of Del- egation	3,500.00
Item 15. Old Confederate Soldiers of Cherokee County, hereafter ex- plained	600.00
Item 16. Lunacy and Post Mortems	400.00
Item 17. County Board of Education	1,476.12
GRAND TOTAL° OF APPROPRIA- TION	\$179,887.55
Less Estimated Revenue other than Taxes:	
Commutation Road Taxes	5,500.00
Fines and Licenses, Clerk of Court	1,050.00
State Insurance Licenses	2,550.00
Fines and Costs—Magistrates ...	6,400.00
Total Estimated Revenue other than Property Taxes	15,500.00
Aproximate amount to be raised by Taxation	\$164,387.55

§ 3. As soon as the total amount of property for taxation has been ascertained for the year 1937, the Auditor and Treasurer are hereby directed to make such additional levy or levies for the year 1937 sufficient to raise ample funds to pay interest on the bonded debt of said county, and to retire such bonds as may fall due, and sufficient funds to take care of all sums provided for in this Act.

§ 3-A. The following sums of money, if so much be necessary, are hereby intended for the payment of back salaries due County Officials or former County Officials, as hereinafter listed to-wit:

F. L. Baker	\$ 244.77
E. J. Clary	1,163.77
W. B. Corry	1,133.34
John C. Fowler	975.00
Poole Harvey	1,337.65
J. Conrad Jones	850.00

Zeb V. Whilchel	2,811.33
H. M. Brown	809.64
	\$ 9,325.50

Said amounts shall be paid in two equal annual installments, the first to be paid during the year 1937, upon the passage of this Act and the second installment shall be appropriated and paid during the year 1938. One-half of the said sum is hereby appropriated to meet the payment of the first installment.

§ 4. The Sinking Fund Commission is hereby authorized to borrow such funds as it may deem necessary to pay interest or retire bonds, should it have no funds to meet the same, to be repaid when taxes are collected.

§ 5. The County Supervisor and Board of County Commissioners are hereby authorized to borrow such sums of money as may be necessary to properly finance said County, and other objects provided for, in anticipation of the collection of taxes, and pledge the same as security therefor, when approve by a majority of the delegation; *Provided*, That they do not exceed the amounts herein appropriated and the levy made herein. The fiscal year of the Supervisor's office shall begin January 1, and end December 31.

§ 6. The Sheriff of Cherokee County shall be paid Fifty (50c) Cents per day for dieting each prisoner in the County Jail, and shall receive the fees provided by law for doing constables' work for each of the two Magistrates in the City of Gaffney. The Court Crier, Jury Boy and Bailiffs shall be paid a per diem of Two (\$2.00) Dollars for the actual number of days served. The fee for holding post mortem examinations shall be Three (\$3.00) Dollars for each examination. The County Board shall employ a County Physician or physicians whose duties shall be prescribed by the said Board and whose compensation shall be fixed by the said Board, not exceeding the amount herein appropriated.

§ 7. The County Treasurer is hereby authorized and directed to turn over to the Sinking Fund Commission of Cherokee County all monies collected by him to retire bonds and to pay interest on same, except those bonds and interest on same maturing during the current year, which shall be paid by the Treasurer.

§ 8. The actual working of the chain gang shall be under the direct supervision and management of the County Supervisor. It shall be his duty to employ and discharge the superintendent and

other employees connected with the chain gang, and the supervisor and commissioners in operating the chain gang shall make the expenses conform to the amount appropriated for the same, *Provided, However,* That before any employees or help is secured or any discharged, same must meet with the approval and sanction of the County Board of Township Commissioners. When differences arise between the Superintendent and Commissioners a majority vote of the Commissioners shall control, *Provided,* That the rural mail carrier shall notify the County Road Supervisor or the Township Commissioner when a bad place occurs in any mail road, and the said Supervisor or Township Commissioner shall send someone to fix same.

§ 9. That the Supervisor is hereby forbidden from incurring any indebtedness against the County in excess of Fifty (\$50.00) Dollars without having first the approval of the Board of County Commissioners on the records in the Supervisor's office, and any such claim or indebtedness so incurred shall not be binding on the part of the County, except in the case of feed for stock and rations for convicts. That the County Supervisor in anticipation of necessary supplies for maintenance of roads and food for live stock and individuals or any other necessities or supplies shall advertise for bids on same and shall award the order to the lowest bidder.

§ 10. Should any Section of this Act be declared unconstitutional, the remaining sections shall remain and be of full force and effect.

§ 11. For the employment of a service Officer for Cherokee County for handling loan applications for adjusted compensation, hospitalization, pensions, etc., of veterans of the wars of the United States, Six Hundred (\$600.00) Dollars, one-sixth (1/6) payable monthly: *Provided,* That such officer is to be elected by the Cherokee Post No. 109 of the American Legion.

§ 12. Any violation of any of the provisions of this Act shall be, and the same is hereby, declared to be criminal offense and punishable, upon conviction, in the discretion of the Court and upon conviction shall be removed from office.

§ 13. That neither the County Treasurer nor any of his assistants shall become Clerk of the Board of County Commissioners, but the Board of County Commissioners shall elect some other discreet and capable person to perform such duties for a sum not exceeding Twelve Hundred (\$1,200.00) Dollars per annum, and the Clerk so elected shall be the purchasing Agent for the Stationery, books, of-

fice supplies and other necessary articles used by all the County Officers and magistrates in and for their respective offices. The payment of any such items otherwise bought shall not be binding on the county. The Clerk or purchasing Agent shall keep a correct entry of all such purchases and certify to same to the County Commissioners at each monthly meeting. That the Clerk of the Board of County Commissioners of Cherokee County shall not issue any voucher or check to any magistrate of Cherokee County until said magistrate has filed with the Clerk of the Board a statement of the names of all parties for whom warrants have been issued during the previous month, the nature of the offense charged in the warrant and the disposition of each case; to each said statement there shall be attached a receipt from the Treasurer for the fines and costs collected by the magistrates during the previous month, and the Clerk of the Board is hereby required to file said statements of the Magistrates in the permanent files of the office of the County Commissioners. The Clerk of the County Board of Commissioners shall be required to remain in office during the regular Court House hours.

§ 14. Three (3) mills are hereby levied on all real and personal property in Blacksburg Centralized School District created by Act 306 of the General Assembly of 1925, to be used by the trustees of said districts for the maintenance of the High School located in said District, and the special levies now being levied in School Districts Nos. one (1), three (3), four (4), five (5), six (6), eight (8) and nine (9) shall be reduced three (3) mills; *Provided*, That the Auditor and the Treasurer of Cherokee County shall make such increase or decrease as called for in this section as may be directed by a majority of the Cherokee Delegation. °

§ 15. The Treasurer of Cherokee County is hereby authorized and directed to pay the sum of Six Hundred (\$600.00) Dollars to the local pension Board, to be equally distributed among the remaining Confederate Soldiers in Cherokee County.

§ 16. The amount herein appropriated shall be paid out as near as practicable one-twelfth (1/12) each month during the year 1937, and if any item or salary has been overpaid for any month, such overpayment shall be deducted from the following month. Any note or contract made by any officer of the County or by the Board of County Commissioners for any amount not included in this Supply Bill shall be null and void; any officer or employee who disregards any of the provisions hereof without the written consent of a ma-

jority of the Cherokee County Delegation in the General Assembly, kept on file in the Treasurer's office shall be guilty of malfeasance in office and subject to removal. If the county supervisor and/or the Board of County Commissioners at any time find that the appropriation or monthly allotment is not sufficient to maintain the maximum chain gang and equipment or road maintenance, then in that event they are required to send to the State Penitentiary a sufficient number of long term chain gang prisoners and reduce equipment and other expenses so that the expenses will come within the monthly allotment herein provided.

All appropriations herein made are subject to the right and authority of the Cherokee County Delegation to change, alter or deduct therefrom at any time without notice, when in its judgment such change, alteration or deduction is necessary for the best interests of the county and to conform with the revenue expected during the life of this Bill; *Provided*, That the changes made by the Delegation pursuant to the authority herein conferred shall not operate to increase the total amount herein appropriated.

§ 17. The Treasurer of Cherokee County is hereby authorized and directed to pay over to the Chairman of a Committee of three (3) to be named by the Cherokee County Legislative Delegation, the sum of Five Thousand (\$5,000.00) Dollars per annum, said sum to be expended by order of County Health Physician for the indigent sick in Cherokee County and also for the poverty stricken person or persons who are in absolutely destitute circumstances and who have resided in the County for the past six months; *Provided*, not more than Sixty (\$60.00) Dollars shall be expended on any one person, and that no more than one-twelfth ($1/12$) of said amount shall be expended in any one month, *Provided, Further*, That not more than one-half ($1/2$) of the above Five Thousand (\$5,000.00) Dollars shall be expended for hospital purposes and that at least one-half ($1/2$) of the said amount shall be expended for the sick and needy for drugs, medicines, nursing and attention other than in hospitals.

§ 19. That the Clerk of the County Commissioners, or the Supervisor, when each voucher is issued from that office, shall show on each voucher out of what fund the voucher is to be paid, what the voucher is to pay, and the balance of the fund after the voucher is paid.

§ 21. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 22. This Act shall take effect immediately upon its approval by the Governor.

Approved the 23rd day of February, 1937.

(163)

No. 452.

AN ACT to Amend an Act Entitled "An Act to Provide for the Levy of Taxes for School and County Purposes for the Year 1937, and to Direct the Expenditure Thereof for Cherokee County", so as to Strike Therefrom an Appropriation for H. M. Brown.

Section 1. Act 451, 1937 Acts, amended—appropriation for H. M. Brown eliminated, Cherokee County.—Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled "An Act to Provide for the Levy of Taxes for School and County Purposes for the Year 1937, and to direct the Expenditure Thereof for Cherokee County", be, and the same is hereby amended by striking out of Section 3-A the following: "H. M. Brown.... \$809.64"; and by striking out the total of "\$9,325.50", in said Section 3-A and inserting in lieu thereof the figures "\$8,515.86"; so that said Section 3-A when so amended shall read as follows:

"Section 3-A. The following sums of money, if so much be necessary are hereby intended for the payment of back salaries due County officials or former County officials, as hereinafter listed, to-wit:

F. L. Baker	\$ 244.77
E. J. Clary	1,163.77
W. B. Corry	1,133.34
John C. Fowler	975.00
Poole Harvey	1,337.65
J. Conrad Jones	850.00
Zeb V. Whilchel	2,811.35

\$ 8,515.86

§ 3B. Hold claim of H. M. Brown in abeyance—appropriation for special contingency fund.—That the claim of H. M. Brown for back salaries as former Treasurer in the sum of \$809.64, approved by the County Commissioners on or about June 4, 1935 be held in abeyance until the final determination of a pending action in the

Court of Common Pleas for Cherokee County by the State of South Carolina and Cherokee County as plaintiffs against H. M. Brown and American Surety Company of New York. The sum of \$404.82 is, however, hereby appropriated and is to be held as a special contingency fund to be disbursed on written consent of a majority of the Cherokee County Delegation for County purposes whether the same be back salaries or County obligations, at such time as the said pending action may be finally determined.

§ 2. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of March, 1937.

(87)

No. 453.

AN ACT to Authorize the Board of Public Works of the City of Gaffney to Satisfy and Surrender to the City of Gaffney Certain Notes, to Cancel an Open Account Representing Funds Advanced to Said City, to Validate Said Transactions, and to Relieve the Cherokee County Sinking Fund Commission from Any Duty to Demand Such Funds.

Whereas, by an Act of the General Assembly, approved February 15, 1916, known as Act No. 592, Statutes at Large No. XXIX, page 1102, the Board of Public Works of Gaffney, S. C. was required to turn over to the Sinking Fund Commission of Cherokee County certain surplus funds, as specified in said Act; and

Whereas, by mutual agreement between the said Board, and the City of Gaffney, said Board has, from time to time advanced to said city of Gaffney, sums of money aggregating \$56,700.00, of which amount \$50,000.00, is represented by various notes of the city of Gaffney, payable to the order of said Board of Public Works of Gaffney, S. C., and the sum of \$6,700.00 is represented by open account due to said Board of Public Works, and

Whereas, the aforesaid funds have been used by the said city of Gaffney for needed improvements, the said advancement of funds is hereby validated; and

Whereas, said Board of Public Works is ready and willing to satisfy and surrender to said city of Gaffney, the aforesaid notes and to cancel the said open account, *Now*

Section 1. Board of public works of Gaffney satisfy and surrender notes and open account held by it against city of Gaffney.
—Be it enacted by the General Assembly of the State of South

Carolina: That the Board of Public Works of Gaffney, S. C., be and it is, hereby authorized and empowered to satisfy, cancel, and surrender to the city of Gaffney, S. C., all the notes heretofore made and delivered to it by the city of Gaffney, S. C., or in its behalf, and to satisfy and cancel the open account of \$6,700.00 due it by said city of Gaffney, S. C.

§ 2. Said board and city not account for such obligations—duty of Cherokee County sinking fund commission.—That, upon the satisfaction and surrender of the notes mentioned in Section 1 of this Act, and upon cancellation of the open account mentioned in said Section, the Board of Public Works of Gaffney, S. C., shall be released and discharged from accounting to the Cherokee County Sinking Fund Commission for the said items, and from paying the funds represented thereby to it. That the City of Gaffney shall not be required to account for, nor pay to the said Cherokee County Sinking Fund Commission any amount, on account of any of said items. That the Cherokee County Sinking Fund Commission be, and it is hereby relieved from any duty or obligation to demand or receive any funds on account, or by reason, of any of the notes or open account mentioned in this Act.

§ 3. Repeal.—That all Acts or parts of Acts inconsistent herewith, in relation to the particular obligations mentioned in this Act, only, are hereby repealed.

§ 4. Date effective.—This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(294)

No. 454.

AN ACT to Authorize the Board of County Commissioners to Borrow the Sum of Thirty-seven Thousand, Eight Hundred and Nineteen Dollars, for the Purpose of Paying Obligations Incurred in the Purchase of Road Machinery, Tractors, Trucks, Scrapes, Etc., for Use on the Highways of Cherokee County, S. C.

Section 1. Cherokee County borrow pay for road equipment.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Commissioners of Cherokee County, State of South Carolina, be and is hereby authorized, empowered and directed to borrow not exceeding thirty-seven thousand, eight

hundred and nineteen (\$37,819.00) dollars, at a rate of interest not exceeding five (5%) per centum per annum, and to deposit the proceeds thereof with the County Treasurer of Cherokee County, S. C., to the credit of the general road fund of Cherokee County, to be paid out on proper warrants of the County Supervisor.

§ 2. Issue notes.—That the loan provided for in the foregoing Section shall be evidenced by five (5) serial negotiable promissory notes of the said County, of equal amounts, payable one, two, three, four, and five years from date, to be executed by the County Supervisor and County Treasurer of Cherokee County, S. C., and the full faith, credit and taxing power of the said Cherokee County are hereby pledged to the payment of interest and principal of said notes as the same become due and payable. Said notes to provide for the payment of a reasonable attorney's fee of not exceeding ten per centum of the amount due, in case of suit or collection by an attorney.

§ 3. Payment.—That in order to provide for the payment of said notes and interest on the same, there is hereby levied upon all taxable property in Cherokee County an annual tax levy sufficient to pay all interest and to retire said notes as they become due and payable; and it shall be the duty of the County Auditor of Cherokee County to levy and enter upon the tax duplicates each year the tax as provided in this Section, and it shall be the duty of the County Treasurer of Cherokee County to collect annually the tax so levied, as other taxes are collected, and credit the proceeds to the general road fund of Cherokee County, and to pay out of said fund all interest accruing on said notes, and to pay the said notes when they become due and payable, until all of said five notes, together with interest shall be paid in full.

§ 4. That this Act shall take effect immediately upon its approval by the Governor.

Approved the 9th day of April, 1937.

(362)

No. 455.

AN ACT to Provide for the Payment of Back Salaries to Certain Officers of Cherokee County.

Section 1. Pay back salaries to certain officers, Cherokee County.—Be it enacted by the General Assembly of the State of South Carolina: That the following sums of money shall be paid the following officers of Cherokee County for back salaries to them due, viz.:

D. E. Lemons	\$ 412.50
C. W. Whisonant	100.00
J. I. McCulloch	610.00
Julian Wright	412.50
Roiland Parker	180.00
W. P. Batchelor	145.95
Charles S. Jennings	452.68
Lake W. Stroup	1,062.50
C. C. Phillips	388.66
Total	3,764.79

The foregoing amounts shall be paid in two equal annual installments, the first during the year 1937 upon the passage of this Act, and the second one year from such time, both amounts without interest.

§ 2. **Levy tax pay.**—The Auditor of Cherokee County is authorized and directed to levy and the Treasurer to collect, a sufficient tax, if there be not sufficient herefor from the General Appropriation Bill, to make payments set out above.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall become effective immediately upon its approval by the Governor.

Approved the 20th day of April, 1937.

(345)

No. 456.

AN ACT to Provide for the Refunding the Bonded Indebtedness Including Accrued Interest and the Cost of Such Refunding, of the Town of Blacksburg, and to Authorize the Securing of Refunding Bonds by Pledge of Waterworks Revenues, Taxes, or Other Security, and to Provide for the Levy of Taxes to Pay the Same.

Section 1. Town of Blacksburg issue bonds refund bonded indebtedness—series—interest—sale.—Be it enacted by the General Assembly of the State of South Carolina: For the purpose of refunding all or any part of its present outstanding bonded indebtedness, whether matured or not, including interest due thereon evidenced by unpaid coupon and interest due on past due bonds, and

to pay the costs and expenses incurred in connection with such refunding, the Town of Blacksburg is hereby empowered to issue, for sale and/or exchange, bonds in an amount sufficient to effect such refunding. The refunding bonds may be issued in a single series, or in several series, with different maturity dates and different rates of interest, and if more than one series of bonds is issued, the same may be issued at different times. Said refunding bonds shall be sold in such manner, and at such time or times, and at such prices above or below par, as may be determined by the municipality.

§ 2. Disposition if do not immediately sell or exchange.—In the event that the Town of Blacksburg, under the powers hereby granted, should determine to issue refunding bonds for the purpose of taking up outstanding bonds that have not matured, all of such refunding bonds which cannot be used for immediate exchange for outstanding bonds, or that cannot be immediately sold under a plan that will enable the town to acquire such outstanding bonds by purchase or payment, shall be held by the town, under regulations to be prescribed by ordinance in advance of the execution of such bonds upon such conditions as will assure the safety of the custody thereof, and the prevention of their getting into circulation, until the same can be sold or exchanged, in whole or in part, for the purpose of taking up the outstanding bonds not offered for exchange.

§ 3. Pledge pay.—The municipality shall have power to pledge for the payment of all or any part of any series or part of any series of the refunding bonds to be issued under the terms hereof, the waterworks revenues of the municipality, and any unpaid taxes which became due prior to December 31, 1936, and any unpaid paving assessments that have not already been pledged; and for the purpose of rendering any pledge of waterworks revenues effective, it shall not be necessary for the Board of Commissioners of Public Works to join in the execution of any instruments made to evidence or effect such pledge. The Mayor and Aldermen are hereby specifically empowered to agree, by ordinance, to make the cost of operating and maintaining the waterworks plant a charge on the general revenues of the municipality, and to make the whole of the revenues of the waterworks plant, or any part thereof, available by way of pledge or collateral, for the security of any issue of bonds that may be made by the municipality under the terms hereof.

§ 4. Sell or exchange.—Any of the bonds issued under the terms hereof, including the whole or any part of any series of such

bonds, may be used for the purpose of exchange for outstanding bonds, or outstanding past due coupons, or for the discharge of interest due on matured bonds, or may be sold in whole or in part, at public or private sale, for the purpose of paying matured bonds, past due coupons, and interest due on matured bonds, and to pay the costs and expenses incurred in connection with the transaction or transactions, upon such terms as may be fixed by the municipality from time to time, subject to all of the other provisions hereof.

§ 5. Series—maturities—funds use pay.—Such refunding bonds as may be issued under the terms hereof for the purpose of paying or refunding unpaid coupons, and/or accrued interest on matured bonds, and/or costs and expenses connected with the issuance and disposition of such bonds, may, in the discretion of the municipality, be issued in special series, to mature over a period not exceeding six years, on a plan to be fixed by the municipality and are to be payable from the pledge of uncollected taxes, unpaid on December 31, 1936, and any unpaid paving assessments which have not already been pledged, or may be secured by a specific lien on the revenues of the waterworks plant of the municipality. All other bonds issued under the terms hereof shall be issued upon such serial plan or plans as may be determined by the municipality, except that the latest maturity date shall not extend for a period longer than forty years from the date which the bonds bear, and it shall be in the discretion of the municipality as to the amount of bonds to be made payable each year, and as to the first year when bonds shall mature as to principal.

§ 6. Payable to bearer—payment of interest—execution.—All of the bonds to be issued under the terms hereof shall be payable to bearer, and shall have coupons attached providing for the payment of interest semi-annually, on such dates and at such place as may be prescribed by ordinance of the town. The bonds shall be signed by the Mayor and attested by the City Clerk under the corporate seal of the municipality, and the interest coupons may be signed with the facsimile signature of the City Clerk lithographed or engraved thereon.

§ 7. Call prior to maturity.—The bonds issued under the terms hereof may in the discretion of the municipality contain provisions authorizing the municipality to call the same for payment, prior to maturity, at times and upon conditions to be fixed by the municipality, and to be set forth in the bonds.

§ 8. Additional pledge pay—levy pay.—In addition to any security that may be pledged for the payment of any of said bonds, the full faith and credit of the Town of Blacksburg shall be pledged for the payment in full of both principal and interest evidenced by the said bonds; and it shall be the duty of the proper municipal authorities, to assess, levy and collect annually upon all of the taxable property of the Town of Blacksburg, a tax sufficient to pay said principal and interest as the same become due and to create a sinking fund sufficient for the payment of said bonds, both principal and interest, as they respectively mature.

§ 9. Powers of town—power of mayor and councilmen.—The Town of Blacksburg shall have all of the powers, with respect to the issuance, sale and exchange of the aforementioned refunding bonds which are now conferred by law upon municipalities, in addition to the powers granted under the provisions of this Act; and in respect to all matters herein provided for which require the determination of some authority, the decision of the Mayor and Aldermen of the Town of Blacksburg shall be conclusive.

§ 10. Use surplus retire.—In the event that the Town of Blacksburg should have funds available at any time for the retirement or reduction of any part of its bonded indebtedness, in excess of the amounts required to pay maturing coupons and maturing bonds, it shall have the right from time to time, under such regulations as may be prescribed by ordinance, to call for tenders of bonds, and to purchase the same with such surplus funds, provided, that the opportunity to make such tenders shall be brought to the notice of all known bondholders. The manner of giving notice and the form of and time of giving the same shall be fixed by ordinance.

§ 11. Subject to constitutional limitations.—Nothing contained in this Act shall be construed to authorize the Town of Blacksburg to incur any indebtedness in violation of any provision of the Constitution of South Carolina of 1895, and all of the provisions of this Act shall be taken to be subject to all applicable constitutional limitations.

§ 12. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 13. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(541)

No. 457.

AN ACT to Amend an Act Approved April 17, 1937, Relating to the Refunding of the Bonded Indebtedness of the Town of Blacksburg by Enlarging the Powers of the Municipality with Respect to the Security that May be Pledged.

Section 1. Act 456, 1937 Acts, amended—security pledge pay bonds, town of Blacksburg.—Be it enacted by the General Assembly of the State of South Carolina: That the Act approved April 17th, 1937, (introduced in the House of Representatives as House Bill No. 822) be, and the same hereby is amended by repealing Section 5 thereof, and in lieu of said section substituting as Section 5 the following:

“Section 5: Such refunding bonds as may be issued under the terms hereof for the purpose of paying or refunding unpaid coupons, and/or accrued interest on matured bonds, and/or costs and expenses connected with the issuance and disposition of such bonds, may, in the discretion of the municipality, be issued in special series, to mature over a period not exceeding six (6) years, on a plan to be fixed by the municipality and are to be payable from the pledge of uncollected taxes, unpaid on December 31, 1936, and any unpaid paving assessments which have not already been pledged, and in addition may be secured by a specific lien on the revenues of the water-works plant of the municipality. All other bonds issued under the terms hereof shall be issued upon such serial plan or plans as may be determined by the municipality, except that the latest maturity date shall not extend for a period longer than forty years from the date which the bonds bear, and it shall be in the discretion of the municipality as to the amount of bonds to be made payable each year, and as to the first year when bonds shall mature as to principal.”

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 13th day of May, 1937.

(246)

No. 458.

AN ACT to Provide for the Levy of Taxes for Chester County for the Year 1937, and to Direct the Expenditures Thereof for Ordinary County Purposes; to Provide for the Appointment of a Hospital Board and to Prescribe the Duties There-

of; to Increase the Salaries of the Members of the County Board of Directors, Magistrates and Coroner and for Other Purposes Relative to the Fiscal Affairs of Chester County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax is hereby levied upon all the taxable property of Chester County for county purposes for the fiscal year, beginning January 1, 1937, for the amounts and purposes herein stated, respectively: For the purposes set forth in this Section four (4) mills.

(A) Roads, Bridges, Culverts and Pipe	
Lines	\$ 6,500.00
Road Equipment and supplies for	
same	15,000.00

(B) Salaries:	
Clerk of Court	400.00
Clerk of Court for Criminal	
Court Clerk Hire	100.00
Sheriff (including expense allow-	
ance)	2,400.00

Provided Sheriff shall be allowed his actual expenses from the State line when out of the State in the discharge of his duty in the bringing of prisoners back to the State, which expense shall not exceed for one railroad fare in day coach, and not exceeding \$3.00 per day for 24 hours for board and other expenses unless it shall be deemed necessary by the County Board of Directors that the Sheriff shall have an assistant in returning prisoners to the State. Then such assistant's expense shall not exceed that of the Sheriff, but shall be in additiona thereto; application to be made to the Board for such assistance before

leaving the State in the discharge of duty, no further expense to be allowed.	
Deputy Sheriff	1,500.00
Deputy Sheriff	1,400.00
Uniforms for Deputy Sheriffs (to be purchased as needed by the Board of Directors on proper voucher)	200.00
Treasurer	1,180.00
Auditor	1,180.00
Superintendent of Education	2,400.00
Traveling expenses for Superintendent of Education, not to exceed (to be paid for on proper voucher)	100.00
County Attorney	120.00
County Physician	275.00
Coroner\$	400.00
Janitor Court House and Jail....	850.00
Clerk to Board of County Directors	1,700.00
Chairman of Board of County Directors	2,400.00
Two (2) County Directors—\$600-.00 each	1,200.00
Superintendent of Roads.....	1,600.00
Superintendent of County Farm.	1,300.00
Magistrates' Constable	2,225.00
Industrial Deputy Sheriff at Elizabeth Heights (Flop Eye).....	120.00
Magistrates	3,890.00
Incidental Expenses—Transportation of Convicts—Magistrates Court	300.00
Two (2) Rural Policemen.....	4,600.00
Rural Police Commission	125.00
Board of Education	200.00
Board of Equalization	400.00
Board of Health—Vital Statistics	350.00

Supplies for Clinics for County Nurse	100.00
(C) Miscellaneous:	
Support of County Home.....	4,000.00
Jail expenses, including dieting of prisoners which is fixed at thirty eight (38c) cents per day for each three meals furnished each prisoner	3,500.00
Jurors and Witnesses including Magistrates' Jurors	5,000.00
Post Mortems, Inquests and Lunacy	600.00
Public Buildings, including Water, Lights, Fuel and Insurance....\$	1,700.00
Printing, Postage and Stationery	3,000.00
Miscellaneous Contingent	4,000.00
Outside Pauper Aid	1,000.00
County Nurse	1,250.00
Chaplain for Jail and County Home	50.00
Club Market (Provided the City of Chester furnishes the lot on which to erect the market)....	1,987.00
American Legion to be disbursed according to Section 14 herein..	600.00
Clerk to Judge of Probate, payable in equal monthly installments	240.00
Coal for Re-employment Office..	20.00
Carolina Orphan Home	540.00
Boys 4-H Club	50.00
Girls 4-H Club	50.00
Sinking Fund Commission for Insurance on school property in Chester County	3,600.00
For operation on and medical treatment of charity patients to be expended as provided in Section 3 hereof	3,500.00

National Guards	300.00	
Shelves and filing cabinets for Clerk of Court's Office and for Judge of Probate's Office....	767.00	
For High Schools for taking chil- dren from other school districts, as follows		
Court House No. 1.....	3,320.00	
Great Falls No. 2.....	20.00	
Oakley Hall No. 20.....	560.00	
Auditing County Office Affairs..\$	250.00	
State Board of Health—Dr. Jones for medical supplies, office sup- plies and equipment.....	450.00	
GRAND TOTAL		\$ 94,869.00
Less Estimated Revenues (other than the taxes for 1937):		
Fines and costs	6,500.00	
Gasoline Tax	21,000.00	
Insurance License	3,500.00	
Unpledged Reimbursements	1,800.00	
Wine, Beer, and Liquor Revenue	5,500.00	
TOTAL OF ESTIMATED REVENUE		38,300.00
GRAND TOTAL, to be paid by taxes levied herein		\$ 56,569.00

§ 2. The following taxes are levied upon the taxable property of Chester County for the year 1937 for the following purposes:

(a) To provide funds for retiring and paying interest on Highway Improvement Bonds, and Supplementary Highway Bonds, (issue of 1922), three and three-fourths ($3\frac{3}{4}$) mills;

(b) To provide for retiring and paying interest on Chester Court House Bonds, three-fourths ($\frac{3}{4}$) mills;

(c) For Township Roads, to be allocated to townships as heretofore provided by law, and expended by the County Board of Directors, two (2) mills.

§ 3. The following named citizens are hereby constituted and appointed a board, to be known as the Chester County Hospital Board, and referred to herein as the Hospital Board, and the said Board shall manage and expend the appropriation for operation and treatment of charity patients, as provided and referred to in Section 1 of this Act: Mrs. Ethel M. McFadden, Dr. J. L. Hamilton, and M. Henry White, of Chester; G. M. Wright Jr., and L. W. Pittman of Great Falls; Shaw Simpson of Lando; J. Foster Carter, of Lowrys; W. C. Hicklin, Great Falls, none of whom shall receive any compensation, but all of whom may receive actual traveling expenses, when traveling is necessary, to be paid out of the same appropriation. The County Nurse shall be ex officio member of the Hospital Board, and shall act as investigator and Clerk of the said Board, and shall call the first meeting thereof, but she shall not receive additional compensation to that of County Nurse for such services. The Hospital Board shall organize by electing a Chairman and such other officers as it may determine, and shall adopt such rules and regulations as it may deem wise for the purpose of controlling and disbursing the said funds for the purpose of giving surgical and dental operations, medical attention and hospital treatment, as they may deem necessary for citizens of Chester County, deserving free treatment and free operations, and their action shall be final: *Provided*, That vouchers for the distribution of the said appropriation shall be issued and signed by the Chairman and the Clerk of the Hospital Board and directed to the Board of County Directors, who shall honor and pay all vouchers, if the same do not exceed the appropriation provided herein and that which may be added by the Chester County Legislative Delegation: *Provided Further*, That the said Hospital Board shall not exceed in their disbursements the appropriation herein provided, unless the said, appropriation is supplemented by the majority of the Chester County Legislative Delegation, and in no case shall they exceed the amount which is provided herein: *Provided Further*, That any vacancy in the Hospital Board may be filled by the remaining members of the said Board.

The Hospital Board herein created may seek to obtain and accept funds from the Duke Endowment and from other sources to be used along with these funds for the purposes herein named.

§ 4. The County Treasurer is empowered to borrow in anticipation of the taxes levied, so much money as may be necessary to pay

the authorized expenses of the County in cases of emergency: *Provided*, it shall be borrowed upon the request of the Board of County Directors, with the approval in writing of a majority of the Legislative Delegation.

§ 5. The levy hereinabove named for the purpose of meeting the obligations of the County for certain purposes shall be devoted to the specific purpose for which levy is made, and in case the levies hereinabove provided shall result in the raising of more funds than may be necessary for the specific purpose indicated, then any such surplus shall be actually determined by the County Treasurer and applied by the County Board of Directors as a payment to others objects for which tax levies are herein made upon the written request of a majority of the County Delegation. In case the assessed value of the property in said County amounts to more, after the action of the Board of Assessors, the Board of Equalization, the Tax Commission and the Board of Reviews or such authorities as may be charged by law with the duties of assessing and equalizing the value of the property, than is sufficient to raise the amount appropriated under the levy herein made, including any revenue derived from any source, or if it be that the amount appropriated for any purpose is or will not be actually required, then the County Auditor, by and with the consent of a majority of the Legislative Delegation, may reduce the levy to such a rate as he finds it necessary to raise the taxes no more than the amount actually required: *Provided*, That in the event it should be found that the amount appropriated for any specific purpose is more than is necessary, the County Board of Directors shall have the right, upon the approval of the majority of the Legislative Delegation, to apply such surplus to other necessary County purposes; and, *Provided Further*, That the County Board of Directors shall have the right to exceed the appropriation herein made for the specific purposes, but no further than is authorized in writing by a majority of the Legislative Delegation; and in no case to an amount in excess of the contingent fund herein provided.

§ 6. All County officers shall furnish the office of the County Board of Directors a written requisition for all supplies needed.

§ 7. It shall be the duty of the Janitor of the Court House, in addition to his present duties, to keep the Court Room and Jury Room in good sanitary condition; that he shall before each term of Court, and before each public meeting to be held in the Court

House, prepare the Court Room for each term of Court and all such meetings, and clean it after each term of Court and public meeting. That no Court Bailiff, or any other employee, shall be allowed compensation for such work: *Provided*, Court attaches and bailiffs must keep the Court Room in proper sanitary condition during the terms of Court.

§ 8. That compensation shall be allowed for not exceeding the following number of attaches or bailiffs for each term of the Court of Chester County: One child for drawing jury; One Court Crier; and two additional Bailiffs, if so many be necessary: *Provided*, That pay for as many as two additional bailiffs may be allowed for the Criminal terms of Court, if appointment of such additional number is requested by the Solicitor. The names of the Child to draw the jury, the Court Crier, and the two Bailiffs for Civil Court and the two additional ones for Criminal Court, if they be ordered appointed by the Solicitor, shall immediately upon appointment be furnished by the Board of County Directors by the Sheriff, and only the persons whose names shall be so furnished shall be paid out of county funds and the County shall be liable for none other.

§ 9. It is not intended that the salaries of the Treasurer and Auditor shall be reduced below Three Thousand One Hundred and Eighty (\$3,180.00) Dollars, and if the State should reduce its appropriation to any sum below Two Thousand (\$2,000.00) Dollars, the amount paid by the County shall be automatically increased from One Thousand One Hundred and Eighty (\$1,180.00) Dollars to such an amount to make the total salaries of these officers Three Thousand One Hundred and Eighty (\$3,180.00) Dollars each, and no pay shall be allowed for Clerk Hire. If the State should make reduction during the year and later pay the reduction after the County had made up the reduction, then the amount of reduction so paid by the State shall be returned to the County.

§ 10. That errors, if any, in the totals of this Bill shall not affect any of the several items named herein.

§ 11. All offices, rooms and storage places in the Court House not now occupied are placed in charge of the Board of County Directors, and may be used for such purposes as said Board may designate.

§ 12. The salary for the Chairman of the County Board of Directors is hereby fixed at Twenty Four Hundred (\$2,400.00) Dollars per year, and the salary of the other two (2) members of the

County Board of Directors is fixed at Six Hundred (\$600.00) Dollars each per year, beginning February 1, 1937.

§ 13. The Board of County Directors and the County Treasurer are forbidden to pay any fee or fees for making arrests in Chester County by any peace officer or officers, including Sheriff, Deputy Sheriff, Magistrate's Constable, or State Constable, Rural Police, or Industrial Deputies.

§ 14. That the sum of Six Hundred (\$600.00) Dollars is hereby allowed for the year 1937 to be paid by the Board of County Directors in equal monthly payments to help defray the expenses of a Service Officer in Chester County for the benefit of the Veterans and survivors of the World War, Spanish-American War, or any other War, now residing in Chester County, to enable them to apply for pensions, increase of pensions, bonuses, compensation, or other allowances by law; said Service Officer to be designated by the Post of the American Legion at Chester and at Great Falls jointly, and his services to be rendered as the attorney or agent in behalf of Chester County for the benefit of all those entitled thereto under this Section as aforesaid.

§ 15. The Board of County Directors is hereby authorized to make proper provisions for feeding the convicts of Chester County at the lowest possible cost and pay for the same out of any money on hand with the County Treasurer not otherwise appropriated.

§ 16. The Janitor of the Court House is hereby especially charged with the duty of enforcing all of the provisions of Section 1175 of the Code of Laws of South Carolina, 1932, but this shall not lessen the duties of the Sheriff, his deputy, and the Magistrate and his Constables in that regard.

§ 17. When convicts are available for the purposes, the Board of County Directors, in their discretion, may furnish a convict, or convicts, to the Janitor of the Court House and Jail for the purpose of keeping the Court House and Jail in sanitary condition, but this authority does not authorize them to employ any free labor for the purpose. When convicts are not available and are not furnished by the Board, the Janitor of the Court House and Jail, himself, is required to discharge all the duties of his position, without assistance of convicts.

§ 18. The Board of County Directors of Chester County is hereby authorized to use such funds now on hand not otherwise appropriated to supplement, if such action be necessary, the amount

of money raised by the four (4) mill levy set forth in Section 1, and for the payment of the items of this Supply Bill.

§ 19. Increases and the new appropriation in this Bill shall become effective March 1, 1937.

§ 20. The salaries of the Magistrates in Chester County are hereby increased to the amount of six (6%) per centum of the salaries now provided by law for the year 1937.

§ 21. The salary of the Coroner of Chester County is increased from Three Hundred and Fifty (\$350.00) Dollars to Four Hundred (\$400.00) Dollars for the year 1937.

§ 22. The action of the County Board of Directors in purchasing the tractor for the use of the Chester County Soil Conservation Association and the contract between the Board of Directors and the Association regarding the operation of said tractor and the Soil Conservation Unit is hereby approved.

§ 23. The Board of County Directors is hereby authorized and directed to carry forward the remainder of the appropriation for the sewing room made for the year 1936, for the use of said sewing room for the year 1937.

§ 24. The Board of County Directors is hereby authorized and directed to carry forward for the year 1937 the appropriation made for the Armory for use during the year 1937.

§ 25. The salary of the second Deputy Sheriff to begin when he is appointed by the Sheriff and has properly qualified.

§ 26. The amount appropriated herein for outside pauper aid may be used by the Board of County Directors for that purpose or for the purpose of matching funds from the Federal Government, Temporary Board of Public Welfare or from the State on any basis which in the judgment of the Board is for the best interest of those for whom the appropriation is made.

§ 27. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 28. This Act shall take effect upon its approval by the Governor.

Approved the 1st day of April, 1937.

(614)

No. 459.

AN ACT to appropriate Certain Monies Now on Hand in Chester County for County Purposes for the Year 1937; to Increase the Salary of the Magistrate's Constable in Baton Rouge Township, and Prescribe His Additional Duties; and to Waive Certain Road Taxes, and to Reduce the Salary of Magistrate's Constable in Magisterial District No. 2, and to Abolish Some of His Duties and Authority.

Section 1. Additional appropriations, Chester County.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby appropriated out of the monies now in the hands of the Treasurer of Chester County, which is not otherwise appropriated, for the year 1937, for the purposes set forth in this Section:

- | | |
|---|-----------|
| Item 1. Rent for the Commodity Distribution Office of the Federal Emergency Relief | \$ 144.00 |
| <i>Provided</i> , the payments of \$12.00 per month, to begin March 1st and continue so long as the office is kept open for the purpose of distributing commodities; <i>Provided further</i> , that the town of Chester appropriate a like amount for the same purpose. | |
| Item 2. For equipment necessary to carry on the Prenatal and Well Baby Clinic, under Dr. Burns Jones, who is head of the Health Unit of Chester County. | 80.00 |
| Item 3. For the installation of light, heat and water in the Tuberculosis Shack, or building now being erected at the County Home, if so much be necessary | 600.00 |
| <i>Provided</i> , the same shall be expended under the direction and supervision of the Board of Directors of Chester County. | |
| Item 4. Compensation for the Magistrate's Constable in Baton Rouge Township, for additional duties prescribed in Section 2 of this Act, and to be paid out according to the method set forth in Section 2 of this Act; payments | |

to begin April 15, 1937, and to be paid at the rate of \$10.00 per month	\$ 120.00
Item 4 A. That the salary of the Magistrate's Constable in the Second Magisterial District in Chester County is hereby reduced, beginning June 1, 1937, from Twenty (\$20.00) Dollars per month to Ten (\$10.00) Dollars per month, and the constable of that District is hereby released from serving two days per week as Rural Policeman at Monetta Mills, and his duties as such are hereby abolished and his authority as such Rural Policeman is hereby abolished.	0
Item 5. For supplementing salary of Industrial Deputy Sheriff at Monetta Mills, appointed according to Section 3499, Code of 1932: <i>Provided</i> , That payments under this item shall begin June 1, 1937, payable at the rate of Fifteen (\$15.00) Dollars per month, ending February 28, 1938: <i>Provided, Further</i> , That Monetta Mills pay a like amount or more.....	\$ 135.00
Item 6. For supervising the re-indexing and refileing of the marriage licenses in the Judge of Probate's office, if and when the Federal Emergency Relief Administration shall furnish the help	\$ 125.00
Total	\$ 1,204.00

§ 2. Duties of magistrate constable, Baton Rouge township.—

It shall be the duty of the Magistrate's Constable in Baton Rouge Township, for which appropriation is made under Item 4 herein, to serve in the discharge of his duty at least two whole days in each week, in addition to his present duties, on the Chester side of Broad River, in, around and near the town of Lockhart in Union County, and elsewhere about the Township that he may be directed by the Magistrate. Such days shall be designated by the Magistrate. Before any voucher shall be issued for these additional services on the part of the Constable, the Magistrate shall certify to the Board of Directors of Chester County as to the days when and the places

where the Constable has discharged these additional services, and the result of such services as shown in arrests and/or fines.

§ 3. **Per diem feed prisoners.**—That the cost of feeding prisoners in Chester County is hereby increased from thirty-eight (38¢) cents, as provided in the regular Chester County Supply Bill, to forty-five (45¢) cents, the increase beginning April 1st, 1937.

§ 4. **Not collect road tax for 1936 and 1937.**—The collection of road tax in Chester County for the years 1936 and 1937 is hereby waived and the Treasurer of Chester County, and all other officers are hereby forbidden to collect road taxes in Chester County for these years.

§ 5. **Cumulative.**—The provisions of this Act are in addition, and supplemental, to the regular Chester County Supply Bill, and not in repeal of any Section thereof.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(305)

No. 460.

A JOINT RESOLUTION to Exempt Certain Citizens and Farmers of Chester County, South Carolina, Who Suffered Damage by Reason of Drought in 1936, from the Payment of Taxes for Ordinary County Purposes.

Whereas, certain farmers in Chester County during the year 1936 did not produce any crops due to the long drought,

Now Therefore

Section 1. Tax relief for drought sufferers, Chester County.—

Be it resolved by the General Assembly of the State of South Carolina: That the Treasurer and Tax Collector of Chester County be, and the same are hereby authorized and directed to exempt or remit, deduct, and refund (in case where same have been paid) the 1936 taxes for ordinary county purposes on the property of every citizen and farmer in Chester County used in connection with the production of crops during the year whereon the crops were entirely destroyed due to the drought.

§ 2. **File claims and affidavits.**—That, before any citizen of Chester County can be exempt from taxes, or claim refund of taxes, as provided in Section 1 of this Act, he, or she, must present a written verified claim to the Township Board of Assessors of Chester County where the property to be exempt from taxes is situate, such claim for exemption, or for refund, to be supported

by affidavit of two freeholders, who are residents of the said Township, and who are not claiming any exemption or refund of taxes under this Act. Said affidavits must state that the alleged facts stated in the claim of the claimant are true, and that the claim is a just one. The Township Board of Assessors, after thorough investigation, in such manner as they may choose, must approve the claim for exemption or for refund of taxes, and so indicate in writing. The original claim must then be presented to the County Treasurer and a copy to the Auditor, each of whom shall keep the same on file, to be used in settlement between themselves.

§ 3. Forms.—That the County Attorney shall prepare such forms to comply with this Act as may be necessary for the convenience of the party asking for exemption or refund of taxes. It shall not be necessary, however, for the claimant to use such forms, but he must use such forms as will comply with the provisions of this Act. The Board of County Directors shall provide for and furnish necessary blanks provided for in this Section.

§ 4. Tax levy provide funds.—That, if the amount of taxes so exempted or refunded, as provided for in this Act, shall amount to as much as Seven hundred and Fifty (\$750.00) Dollars, the Auditor is hereby required to levy a sufficient tax on all the taxable property in Chester County to raise such an amount as shall equal the exemption and refund of taxes, herein provided for, and the County Treasurer shall collect such taxes and place the same in the County General Fund.

§ 5. Members of township board of assessors filing claims.—That if any member or members of the Township Board of Assessors shall claim exemption or a refund of taxes as herein provided, then the Auditor of Chester County is required to name one or more of another Township Board who are not claiming an exemption or a refund of taxes, to act in place of the ones disqualified by making claim hereunder.

§ 6. Time file claims.—That no claim for exemption or refund of taxes under this Act shall be allowed unless filed before August 1st in the year 1937.

§ 7. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 8. This Resolution shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(249)

No. 461.**AN ACT to Authorize Richburg School District No. 19 in Chester County, State of South Carolina, to Issue Bonds in an Amount Not Exceeding Twelve Thousand (\$12,000.00) Dollars, to be Exchanged for Outstanding Bonds of Said District.**

Whereas, Richburg School District No. 19, in Chester County, the first day of January, 1925 did issue Eighteen Thousand (\$18,000.00) Dollars in five (5%) percent bonds, with interest payable semi-annually at the office of the Treasurer of Chester County, S. C., due and payable as follows: Five Hundred (\$500.00) Dollars of the principal due each January 1, 1926-1935, both inclusive; One Thousand (\$1,000.00) Dollars due each January 1, 1936-1940, both inclusive; Fifteen Hundred (\$1,500.00) Dollars due each January 1, 1941-1944, both inclusive, and Two Thousand (\$2,000.00) Dollars on January 1, 1945, and,

Whereas, the said bonds were sold to the Commercial Bank, of Chester, S. C., and there remained unpaid on January 1, 1937, Twelve Thousand (\$12,000.00) Dollars, which bonds are now held by individuals, and,

Whereas, the said School District is unable to meet the payment of these bonds as they severally become due, the tax upon the said School District necessary to meet the payment of the said bonds as they are now scheduled to become due will be prohibitory, and the trustees of the said School District, and the taxpayers of the said District, desire an extension of time for the payment of these bonds, and the bondholders are willing to such extension as is desired by the trustees and taxpayers of the said School District, and

Whereas, the said trustees and taxpayers desire the bonds authorized by this Act to become due and payable One Thousand (\$1,000.00) Dollars each January 1, 1945-1956, both inclusive, the amount not to exceed Twelve Thousand (\$12,000.00) Dollars, and the interest rate to be five (5%) percent, Now, Then,

Section 1. Richburg School District No. 19, Chester County, issue bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Richburg School District No. 19 in Chester County be, and they are hereby authorized and empowered to issue negotiable coupon bonds of said School District, bearing date of January 1, 1937, in amount not to exceed the sum of Twelve Thousand (\$12,000.00) Dollars. The only proceeding

necessary to evidence the legality of said bonds shall be an appropriate resolution of the Board of Trustees.

§ 2. Maturities—interest.—That the principal of said bonds shall mature as follows: One Thousand (\$1,000.00) Dollars on January 1, 1945, and a like amount on the first day of January each year thereafter until the entire amount shall have matured. The principal of and interest on said bonds shall be payable at such place or places and in such medium of payment as shall be described by a resolution adopted by the said Board of Trustees, and said bonds shall carry interest at a rate of five (5%) per centum per annum, payable annually.

§ 3. Execution.—The said bonds shall be signed by the Board of Trustees of said School District, and the coupons attached to said bonds shall bear the signatures or facsimile signatures of the members of the Board of Trustees. The said bonds shall be a valid and binding obligation upon the said School District, notwithstanding any change in the personnel of the said Board after the execution of the bonds authorized by this Act.

§ 4. Exchange.—The said Trustees shall exchange the said bonds so issued for the present outstanding bonds of the said School District, which aggregate the principal amount of Twelve Thousand (\$12,000.00) Dollars, and the said exchange shall be made on the basis of dollar for dollar in value, and the value of the bonds shall be arrived at by adding earned interest to the face of the same.

§ 5. Pledge pay.—That for the prompt payment of the principal of and interest on said bonds when the same become due and payable, the full faith, credit and taxing power of said School District are hereby irrevocably pledged.

§ 6. Cumulative.—That the powers conferred by this act are in addition to, and not in substitution for, the powers conferred by any other Act, whether general, local or special, and the said Board of Trustees is authorized and empowered to issue the said bonds, notwithstanding anything to the contrary in any other Act, whether general, local or special.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 3rd day of April, 1937.

(196)

No. 462.

A JOINT RESOLUTION Directing the Clerk of Court of Chester County to Deliver to the Chester Free Library a Book Called "A View of the Conduct of the Executive of the United States, 1794-1796."

Section 1. Chester County deliver to Chester free library book called "**A View of the Conduct of the Executive of the United States, 1794-1796**".—Be it resolved by the General Assembly of the State of South Carolina: The Clerk of Court of Chester County is hereby authorized, empowered and directed to turn over to the Chester Free Library a book now in the office of the Clerk of Court called "**A View of the Conduct of the Executive of the United States, 1794-1796.**" The Clerk of Court shall take a receipt from the librarian for the said volume which will relieve him from all responsibility therefor.

§ 2. This Resolution shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(544)

No. 463.

AN ACT to Validate the Actions of A. N. Kirkpatrick, Tax Collector for Chester County, from January 1, 1936, to December 1, 1936, and from January 1, 1937, to January 26, 1937, in so Far as Such Actions Relate to the Title of Realty in Chester County.

Whereas, A. N. Kirkpatrick acted as Tax Collector in the County of Chester, in the State of South Carolina, from January 1, 1936, to December 1, 1936, without having qualified for such office; and

Whereas, the said A. N. Kirkpatrick also acted as Tax Collector for said County, from January 1, 1937, to January 26, 1937, without having duly qualified; and

Whereas, during said two periods the said A. N. Kirkpatrick executed deeds and performed other functions of the office of Tax Collector for Chester County,

Section 1. Certain acts of A. N. Kirkpatrick, tax collector, Chester County, validated.—Be it enacted by the General Assembly of the State of South Carolina: That all of the acts and doings of the said A. N. Kirkpatrick touching and relating to personal and real property and the title thereto during the two periods above set out, be, and they are hereby in all respects, validated and made legal the same as if the said A. N. Kirkpatrick had in all respects qualified during said two periods and held lawful title to this office.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act to take effect immediately upon its approval by the Governor.

Approved the 13th day of May, 1937.

(673)

No. 464.

AN ACT to Provide for the Levy of Taxes for Ordinary and Other County Purposes for the Fiscal Year Beginning July 1, 1937 and Ending June 30, 1938; to Appropriate Monies for the Operation of the County Government for Chesterfield County During the Said Fiscal Year and to Further Regulate the Administration of the County Government of Chesterfield County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: The County Auditor of Chesterfield County is hereby authorized, empowered and directed to levy a tax of five mills or so many mills as may be necessary for ordinary and other county purposes upon all the taxable property of Chesterfield County for the fiscal year from July 1, 1937 to June 30, 1938, to raise sufficient revenue for the appropriations herein provided.

Item 1. Administrative Department:

(a) Clerk of Court	500.00
(b) Salary of Probate Judge	100.00
(c) Salary of County Auditor	624.00
(d) Salary of assistants to County Auditor	600.00
(d-1) Clerical assistants to County Auditor from Jan. 1, 1937 to June 30, 1937	150.00

(e) Salary of County Treasurer	700.00
(e-1) Clerical assistants to County Treasurer	300.00
(e-2) Clerical assistants to County Treasurer from Jan. 1, 1937 to June 30, 1937	150.00
(f) County Superintendent of Edu- cation	1,500.00
(g) Travel expense of County Super- intendent of Education	120.00
(g-1) Salary of Deputy Tax Collector to assist the Sheriff of Chester- field County	1,200.00
Traveling expenses for said Deputy Tax Collector	300.00
(h) Salary of County Attorney	300.00
(i) Salaries of Three (3) County Commissioners @ \$420.00 each	1,260.00
(j) Salary of Coroner	300.00
(j-1) Stenographic help to Coroner ..	25.00
(k) Janitor to Court House and other public buildings	240.00
(l) Salary of Clerk of County Board of Commissioners and Road Supervisor	1,800.00
(m) Salary of Superintendent of County Home	300.00
(n) Salary of County Service Officer	900.00
(n-1) Travel, Telephone and incidentals	300.00
(n-2) Salary of County Service Officer from Jan. 1, 1937 to June 30, 1937	450.00
(o) County Board of Equalization ..	400.00
(p) County Board of Registration ..	150.00
(q) Seed loan office, clerical help	660.00
(q-1) Rent seed Loan Office	180.00
(q-2) Re-employment Office	175.00
(q-3) Vital Statistics	300.00
(q-4) County and Home Demonstration offices, rent	396.00

(q-5) Stenographer County and Home Demonstration offices	240.00
(q-6) Boys 4-H Club	50.00
(q-7) Girls 4-H Club	50.00
(q-8) Health unit—stenographic help ..	600.00
(q-9) Stationery, materials and supplies for Health Unit	175.00
(q-10) Typewriter	75.00
(q-11) Sewing Room Supplies	100.00
(q-12) Handicraft supplies	100.00
(q-13) Traveling Library—gas, oil for truck	180.00
(r) Water, fuel, lights and insurance, and other incidentals for main- tenance of public buildings ..	2,000.00
(s) Printing, postage, stationery, of- fice supplies and incidentals for County offices	1,500.00
(t) County Roads, construction, main- tenance, purchase of road ma- chinery supplies and incidentals	30,000.00
All outstanding notes for the pur- chase of machinery, or in cases where cash is paid for road ma- chinery, the same shall be paid out of item hereinabove appro- priated for County Roads, etc.	
The County Commissioners of Chesterfield County shall pur- chase all road machinery above the value of Three Hundred (\$300.00) Dollars upon com- petitive bids.	

Total of Item 1	49,450.00
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Item 2. Judicial Department:

Salaries of Magistrates:

(a) Court House Township	480.00
The Magistrate for Court House Township shall attend all Courts	

of General Sessions of Chester-
field County.

(b) Pageland Township	480.00
(c) Cheraw Township	480.00
(d) Alligator Township	480.00
(e) Jefferson Township	480.00
(f) Mt. Croghan Township	480.00
(g) Cole Hill Township	180.00
(h) Pee Dee Township	180.00
(i) Steer Pen Township	180.00
(j) Brock's Mill District	180.00
(k) Per diem and mileage of Jurors, Witnesses, Bailiffs and other Court Attendants	3,000.00

Total of Item 2	6,600.00
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Item 3. Law Enforcement:

(a) Sheriff, general salary	1,800.00
Travel expenses for the Sheriff within the County, \$500.00 ..	500.00

The Sheriff of Chesterfield County is hereby authorized, empowered and directed to appoint three (3) Rural Deputies for Chesterfield County, whose terms of office shall be co-terminal with the Sheriff, and who may be removed by him at any time. One of said Rural Deputies shall be assigned to Cheraw, Pee Dee and Steer Pen Township; one shall be assigned to Alligator, Jefferson and Pageland Townships and one, who shall act as Jailor at Chesterfield, shall be assigned to Mt. Croghan, Court House and Cole Hill Townships. The Rural Deputy for Jefferson, Alligator

and Pageland Townships shall, in addition to his usual duties, serve the Magistrate of Jefferson Township; the Rural Deputy for Cheraw, Pee Dee and Steer Pen Townships shall, in addition to his usual duties, serve the Magistrate of Cheraw Township, and the Rural Deputy for Mt. Croghan, Court House and Cole Hill Townships shall, in addition to his usual duties, serve the Magistrate of Court House Township.

The said Sheriff of Chesterfield County shall have the right to assign said Rural Deputies to operate in any part of Chesterfield County.

(b) Salary for said three (3) Rural Deputies at \$1,500.00 each ..\$	4,500.00
(c) Traveling expenses for each said Rural Deputy \$150.00	450.00
(d) Salary for Constable of Pageland Township	300.00
(e) Salary for Constable of Alligator Township	300.00
(f) Salary for Constable of Mt. Croghan Township	300.00
(g) Salary for Constable of Cole Hill Township	180.00
(h) Salary for Constable of Pee Dee Township	180.00
(i) Salary for Constable of Steer Pen Township	180.00
(j) Salary for Constable of Brock's Mill Township	180.00

Said Constables shall execute all orders, writs and other process directed to them by the Magis-

trates of their respective townships or districts.

The said Constables and Rural Deputies shall cooperate with the Sheriff of Chesterfield County in the enforcement of the laws of the State and County, and shall be under his direction in the enforcement of the said laws. *Provided*, That every person charged or arrested for an offense cognizable in the Court of Magistrates shall be taken and arraigned before the Magistrate in the township or district where the offense is alleged to have been committed. No other Magistrate in the County shall have jurisdiction of any criminal case or proceeding unless the case shall be removed from the Court of the Magistrate of the township or district wherein the offense is alleged to have occurred in the manner and as provided by law. for change of venue.

(k) Jail expenses, including dieting of prisoners @ 35¢ per day, and incidentals\$ 1,000.00

(l) Post Mortems, inquests and lunacy 500.00

Total of Item 3 \$ 10,370.00

Item 4. Contributions and Charity:

(a) Maintenance and aid to County Home and poor\$ 4,000.00

This fund shall be used as far as it is practicable to match funds provided for under the Social

Security Law, and part 6 of said Law, and shall be expended as therein provided.

- (b) Hospitalization Fund 500.00

This fund shall be spent by the County Board of Commissioners, who shall be limited to the payment of the sum of two (\$2,00) dollars per day for hospital expenses, and shall be paid directly to such hospital, and no further charge shall be made by such hospital against the County, and such aid shall be granted only to destitute persons upon a certificate from a reputable physician that such hospitalization is absolutely necessary.

- (c) Physicians' fees and drugs 500.00

- (d) Jefferson Armory 2,000.00

- (e) Contingent Fund 2,000.00

Total of Item 4 \$ 9,000.00

Grand Total of all Items 75,420.00

Less estimated revenue as follows:

Commutation Road Tax\$ 4,000.00

Fines and Licenses 2,000.00

Fines and costs, Magistrates 5,000.00

Licenses' tax and gasolie tax ... 30,000.00

Insurance Licenses 2,000.00

Revenues from sales of Liquors
and Beer 5,000.00

\$ 48,000.00

Amount to be raised by tax on
property in Chesterfield County

\$ 27,420.00

Item 5. County Bonded and Other Indebtedness:

Sinking Fund Payment and Interest	\$ 6,000.00
Funding School Bonds and Interest	12,300.00
Funding Road and Bridge Bonds	11,200.00
Funding Railroad Bonds and interest	7,100.00
County Funding Bonds and Interest	25,500.00
Total	\$ 62,100.00

There is hereby appropriated the sum of Thirty Thousand (\$30,000.00) Dollars of the money to be collected from delinquent taxes during the fiscal year beginning July 1, 1937 and ending June 30, 1938, to be applied to the part payment of the above amount of \$62,100.00, the same to be paid by the County Treasurer of Chesterfield County out of the money collected from said delinquent taxes; and there is hereby levied upon all the taxable property in Chesterfield County ten (10) mills, or so many as may be necessary, the proceeds of which shall be used to pay the balance of the said sum of money; the said taxes to be collected as other taxes are collected. The purpose of this provision is to pay the indebtedness of Chesterfield County as much as possible out of the proceeds of delinquent taxes.

§ 2. The County Commissioners are hereby required to keep a separate account covering the various items of the supply Bill, and not to exceed in expenditure or contract the amount herein provided for each item, and for any such excess allowed or permitted said officers shall be held liable on their official bond. The Clerk of the Board of County Commissioners shall make quarterly statements of expenditures and balances of the different items both to said Board and to each member of the legislative delegation from Chesterfield County. Any contract made in violation of this Act shall not be a valid claim against Chesterfield County. The books and financial affairs of Chesterfield shall be audited during the fiscal year 1937-38. The contract for the audit shall be awarded by the County Board of Commissioners with the consent and advice of the majority of the Legislative Delegation from Chesterfield County, and the cost for the said audit shall be paid out of the contingent fund; provided in Item 4, Section 1 of this Act, upon the order of the County Board of Commissioners and of the majority of the Legislative Delegation. The original of the audit shall be filed with the Clerk of Court of Chesterfield County, and copies of the same shall be filed with the Foreman of the Grand Jury and each member of the Legislative Delegation from Chesterfield County. The Contingent fund provided in Item 4, Section 1, shall be disbursed upon the order of the County Board of Commissioners and a majority of the Legislative Delegation.

§ 3. That all departments of the County Government shall make requisition to the County Board of Commissioners for all stationery, books, blanks, and supplies, and said Board shall purchase and provide so much thereof as in its judgment is necessary and proper, and said Board shall not approve any account or issue its voucher for any supplies, etc., purchased or ordered by any officer of the County. That nothing contained in this Section shall be construed to authorize the Board of County Commissioners to make any disbursements in excess of the appropriation made herein for printing, postage and stationery.

§ 4. For the purpose of meeting current expenses and taking care of past indebtedness, the County Commissioners and the County Treasurer are hereby authorized and empowered to renew notes or to borrow money, and to secure the payment of said loans, and to pledge the ordinary County levy of 1937-38, or any uncollected taxes, as security for each such loan or loans. The said officers are

to obtain said loans and renewals of notes at as low a rate of interest as possible and if the County Attorney and a majority of the Delegation deem it advisable, they may advertise for bids on such loans; *Provided*, That no money shall be borrowed or notes renewed until the entire Delegation shall have been consulted and written consent given by a majority of said Delegation. It shall be sufficient for the County Treasurer and the Chairman of the Board of Commissioners to sign such notes, or note, to borrow money, provided that every such loan must be first approved in writing by a majority of the Legislative Delegation.

§ 5. That no charge shall be made by the Sheriff or Jailor for admitting to and releasing from the jail any prisoner committed by a Magistrate, or the Coroner, or any Peace Officer of the County.

§ 6. The County Treasurer, Clerk of Court, and the various Magistrates are required to file quarterly statements with the County Board of Commissioners, which said Statement shall show the amount of fees collected by them. In addition, the Treasurer's report shall show the amount of the indebtedness of the County existing at the date thereof, the amount of cash on hand, the amount of cash in banks, the name of banks in which deposited, and a list of security filed with him to indemnify the County against loss by reason of such deposit: *Provided*, That no County warrant for salary shall be issued to the said Clerk of Court and Magistrates until said statements are filed as herein directed, and the provisions of this Section shall apply to the County Peace Officers.

§ 7. The County Commissioners and the Clerk thereof are hereby expressly forbidden to contract for work, or to furnish any material or supplies, to Chesterfield County. No warrant, check, claim voucher or any other order for the payment of money out of the Treasury of Chesterfield County or otherwise of any kind, nature or description, shall be issued by the County Board of Commissioners and paid by the Treasurer until the claim, which is the basis of said warrant, shall have been endorsed in writing by the County Attorney as a valid and legal obligation of Chesterfield County: *Provided*, The County Board of Commissioners shall have first made a written request to the County Attorney asking that any claim filed against the County be approved him as to its legality.

§ 8. In all warrants charging violation of the check law, where same is settled before trial, the Magistrate shall be entitled to receive one (\$1.00) dollar, and each Constable shall be entitled to re-

ceive as compensation the fee of one (\$1.00) dollar and mileage to be collected from the person accused of such violation.

§ 9. The County Board of Commissioners are authorized to make such arrangements as they may deem wise and expedient for furnishing medicine and securing the services of a physician, or physicians, for the inmates of the County Home, and prisoners in the jail and on the chaingang.

§ 10. The County Auditor is hereby authorized, empowered and directed to levy not exceeding two (2) mills upon all the property of Chesterfield County for school purposes, to be allocated by the County Board of Education, with the consent of the Legislative Delegation, among the Grammar Grades and High Schools of said County.

§ 11. The County Auditor, with the consent of a majority of the Legislative Delegation, shall have the power and authority to raise or lower the number of mills herein levied as may be deemed necessary to meet the absolute needs of the County.

§ 12. The revenue allotted and going to Chesterfield County from sale of alcoholic liquors, wines and beverages, shall be placed in the ordinary funds of the County Treasury and shall be spent for ordinary county purposes.

§ 13. The County Treasurer of Chesterfield County shall hold in his hand the delinquent tax executions for the year 1936, until the first day of November, 1937, and any delinquent taxpayer shall have the right to pay his delinquent taxes to said Treasurer up to said time without any costs except the Treasurer shall be allowed the sum of fifty (50¢) cents as his costs, or for preparation and collection of such execution for said delinquent taxes for the year of 1936. After the first day of November, 1937, the County Treasurer shall deliver and turn over to the Sheriff of Chesterfield County all uncollected delinquent taxes for the year 1936 for collection by said Sheriff.

§ 14. The Road Supervisor and Clerk to the Board of County Commissioners shall prepare and maintain at all times an inventory of the purchase and distribution of gasoline and oils and said clerk is authorized to issue gasoline to such county officers as are entitled to use gas without the payment of gasoline tax but such gasoline so issued must be paid for upon delivery or be deducted from the salaries of such officials.

§ 14-A. The salaries herein appropriated unless otherwise directed shall be payable monthly.

§ 16. Court House WPA Project. All disbursements by the County Board of Commissioners of Chesterfield County heretofore made in the enlargement, repairing and remodeling of Court House, which is a WPA Project, sponsored by Chesterfield County, are hereby confirmed and a sufficient sum of money is hereby appropriated out of the funds of the County, not otherwise appropriated, to complete the said project according to the terms of the contract, upon the written approval of the Legislative Delegation of Chesterfield County, or a majority thereof.

§ 16-A. The County Board of Commissioners of Chesterfield County is hereby authorized and empowered to issue its warrants or vouchers to pay claims against the County of Chesterfield upon the written approval of the Legislative Delegation in cases where the appropriation provided in the Appropriation Act for Chesterfield County for the fiscal year 1936-1937 have been exhausted. In all other cases where the appropriation is sufficient they shall issue their warrant or voucher in the usual manner provided by law.

§ 16-B. The County Attorney of Chesterfield County shall be appointed by the County Board of Commissioners by and with the consent of a majority of the Legislative Delegation, including the Senator.

§ 17. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 18. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(241)

No. 465.

AN ACT to Provide for Refunding the Bonded Indebtedness, Including Accrued Interest and the Cost of Such Refunding, of the Town of Chesterfield and to Authorize the Securing of Refunding Bonds by Pledge of Waterworks Revenues, Taxes, or Other Security, and to Provide for the Levy of Taxes to Pay the Same.

Section 1. Town of Chesterfield issue bonds refund bonded indebtedness—series—interest—sale.—Be it enacted by the Gen-

eral Assembly of the State of South Carolina: That for the purpose of refunding all or any part of its present outstanding bonded indebtedness, whether matured or not, including interest due thereon evidenced by unpaid coupons and interest due on past due bonds, and to pay the costs and expenses incurred in connection with such refunding, the Town of Chesterfield is hereby empowered to issue, for sale and/or exchange, bonds in an amount sufficient to effect such refunding. The refunding bonds may be issued in a single series, or in several series, with different maturity dates and different rates of interest, and if more than one series of bonds is issued, the same may be issued at different times. Said refunding bonds shall be sold in such manner, and at such time or times, and at such prices above or below par, as may be determined by the municipality.

§ 2. Disposition if do not immediately sell or exchange.—In the event that the Town of Chesterfield, under the powers hereby granted, should determine to issue refunding bonds for the purpose of taking up outstanding bonds that have not matured, all of such refunding bonds which cannot be used for immediate exchange for outstanding bonds, or that cannot be immediately sold under a plan that will enable the town to acquire such outstanding bonds by purchase or payment, shall be held by the town, under regulations to be prescribed by ordinance in advance of the execution of such bonds upon such conditions as will assure the safety of the custody thereof, and the prevention of their getting into circulation, until the same can be sold or exchanged, in whole or in part, for the purpose of taking up the outstanding bonds not offered for exchange.

§ 3. Pledge pay.—The municipality shall have the power to pledge for the payment of all or any part of any series or part of any series of the refunding bonds to be issued under the terms hereof, the waterworks revenues of the municipality, and any unpaid taxes which became due prior to December 31, 1936, and any unpaid paving assessments that have not already been pledged; and for the purpose of rendering any pledge of waterworks revenues effective, it shall not be necessary for the Board of Commissioners of Public Works to join in the execution of any instruments made to evidence or effect such pledge.

§ 4. Sell or exchange.—Any of the bonds issued under the terms hereof, including the whole or any part of any series of such bonds, may be used for the purpose of exchange for outstanding bonds, or outstanding past due coupons, or for the discharge of interest due on matured

bonds, or may be sold in whole or in part, at public or private sale, for the purpose of paying matured bonds, past due coupons, and interest due on matured bonds, and to pay the costs and expenses incurred in connection with the transaction or transactions, upon such terms as may be fixed by the municipality from time to time, subject to all of the other provisions hereof.

§ 5. Series—maturities—funds use pay.—Such refunding bonds as may be issued under the terms hereof for the purpose of paying or refunding unpaid coupons, and/or accrued interest on matured bonds, and/or the costs and expenses connected with the issuance and disposition of such bonds, may, in the discretion of the municipality, be issued in a special series, to mature over a period not exceeding six years, on a plan to be fixed by the municipality and are to be payable from the pledge of uncollected taxes, unpaid on December 31, 1936, and any unpaid paving assessments which have not already been pledged, or may be secured by a specific lien on the revenues of the waterworks plant of the municipality. All other bonds issued under the terms hereof shall be issued upon such serial plan or plans as may be determined by the municipality, except that the latest maturity date shall not extend for a period longer than forty years from the date which the bonds bear, and it shall be in the discretion of the municipality as to the amount of bonds to be made payable each year, and as to the first year when bonds shall mature as to principal.

§ 6. Payable to bearer—payment of interest—execution.—All of the bonds to be issued under the terms hereof shall be payable to bearer, and shall have coupons attached providing for the payment of interest semi-annually, on such dates and at such place as may be prescribed by ordinance of the town. The bonds shall be signed by the Mayor and attested by the City Clerk under the corporate seal of the municipality, and the interest coupons may be signed with the facsimile signature of the City Clerk lithographed or engraved thereon.

§ 7. Call prior to maturity.—The bonds issued under the terms hereof may in the discretion of the municipality contain provisions authorizing the municipality to call the same for payment, prior to maturity, at times and upon conditions to be fixed by the municipality, and to be set forth in the bonds.

§ 8. Additional pledge pay—levy pay.—In addition to any security that may be pledged for the payment of any of said bonds,

the full faith and credit of the Town of Chesterfield shall be pledged for the payment in full of both principal and interest evidenced by the said bonds; and it shall be the duty of the proper municipal authorities, to assess, levy and collect annually upon all of the taxable property of the Town of Chesterfield, a tax sufficient to pay said principal and interest as the same become due and to create a sinking fund sufficient for the payment of said bonds, both principal and interest, as they respectively mature.

§ 9. Powers of town—power of mayor and councilmen.—The Town of Chesterfield shall have all of the powers, with respect to the issuance, sale and exchange of the aforementioned refunding bonds which are now conferred by law upon municipalities, in addition to the powers granted under the provisions of this Act; and in respect to all matters herein provided for which require the determination of some authority, the decision of the Mayor and Aldermen of the Town of Chesterfield shall be conclusive.

§ 10. Use surplus retire.—In the event that the Town of Chesterfield should have funds available at any time for the retirement or reduction of any part of its bonded indebtedness, in excess of the amounts required to pay maturing coupons and maturing bonds, it shall have the right from time to time, under such regulations as may be prescribed by ordinance, to call for tenders of bonds, and to purchase the same with such surplus funds, provided, that the opportunity to make such tenders shall be brought to the notice of all known bondholders. The manner of giving notice and the form of and time of giving the same shall be fixed by ordinance.

§ 11. Subject to constitutional limitations.—Nothing contained in this Act shall be construed to authorize the Town of Chesterfield to incur any indebtedness in violation of any provision of the Constitution of South Carolina of 1895, and all of the provisions of this Act shall be taken to be subject to all applicable constitutional limitations.

§ 12. All Acts or parts of Acts inconsistent with this Act, to the extent of such inconsistency, are hereby repealed.

§ 13. This Act shall take effect upon its approval by the Governor.

Approved the 1st day of April, 1937.

(586)

No. 466.

AN ACT to Amend an Act Approved April 1, 1937, Entitled "An Act to Provide for Refunding the Bonded Indebtedness, Including Accrued Interest and the Cost of Such Refunding, of the Town of Chesterfield and to Authorize the Securing of Refunding Bonds by Pledge of Waterworks Revenues, Taxes, or Other Security, and to Provide for the Levy of Taxes to Pay the Same", so as to Provide That Refunding Bonds May Also be Secured by a Specific Lien on the Revenues of the Waterworks Plant of the Municipality.

Section 1. Act 465, 1937 Acts, amended—secure refunding bonds by lien on revenues of waterworks plant, town of Chesterfield.—Be it enacted by the General Assembly of the State of South Carolina: That an act approved April 1, 1937, (introduced in the House of Representatives as House Bill 609) entitled "An Act to Provide for Refunding the Bonded Indebtedness, Including Accrued Interest and the Cost of such Refunding, of the Town of Chesterfield and to Authorize the Securing of Refunding Bonds by Pledge of Waterworks Revenues, Taxes, or Other Security, and to Provide for the Levy of Taxes to pay the Same" be, and the same is hereby, amended by striking out Section 5 thereof and inserting in lieu thereof the following to be known as Section 5:

"Section 5: Such Refunding Bonds as may be issued under the terms hereof for the purpose of paying or refunding unpaid coupons, and/or accrued interest on matured bonds, and/or costs and expenses connected with the issuance and disposition of such bonds, may, in the discretion of the municipality, be issued in special series, to mature over a period not exceeding six years, on a plan to be fixed by the municipality and are to be payable from the pledge of uncollected taxes, unpaid on December 31st., 1936, and any unpaid paving assessments which have not already been pledged, and in addition may be secured by a specific lien on the revenues of the waterworks plant of the municipality. All other bonds issued under the terms hereof shall be issued upon such serial plan or plans as may be determined by the municipality, except that the latest maturity date shall not extend for a period longer than forty years from the date which the bonds bear, and it shall be in the discretion of the municipality as to the amount of bonds to be made payable each year, and as to the first year when bonds shall mature as to principal."

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 14th day of May, 1937.

(598)

No. 467.

AN ACT to Provide for the Levy of Taxes for Ordinary County and Road Purposes for Clarendon County for the Year Beginning January 1, 1937; to Provide for the Expenditure of Such Taxes and of the Other County Revenues Collected During the Fiscal Year Ending June 30, 1938; to Authorize the Officers of the Said County to Borrow Money in Anticipation of Collection of County and School District Taxes for the Year 1937 and Previous years; and Otherwise Relating to the Fiscal Affairs of Said County, Including the Fixing of Salaries of County Officers.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of a sufficient number of mills to pay the appropriations hereinafter made, the amount of such millage to be determined by the County Auditor after consultation with and the approval of the majority of the members of the Clarendon Legislative Delegation, is hereby levied upon all the taxable property of Clarendon County for County purposes for the year beginning January 1, 1937, for the amounts and purposes hereinafter stated as follows, to-wit:

(a) **ROADS AND BRIDGES:**

Cross County Roads and Bridges \$	9,000.00
Convicts and maintenance of road working	9,000.00
R.F.D. Routes, for the use ex- clusively upon neighborhood roads and other by-roads, traversed by R.F.D. Routes ..	500.00
Road machinery	3,200.00

TOTAL \$ 21,700.00

(b) SALARIES:

Clerk of Court	\$ 2,100.00
Services as Probate Judge	300.00
Clerk hire in Clerk of Court and Probate Court Offices (if so much be necessary)	1,440.00
Sheriff	2,100.00
Travel allowance	600.00
Clerk to Sheriff and Tax Collector	720.00
Deputy Sheriff and Jailer	1,200.00
Travel allowance	420.00
Second Deputy Sheriff	1,080.00
Travel allowance	420.00
Treasurer	769.00
<i>Provided</i> , this amount shall be varied, if necessary, to provide a total salary to the Treasurer from State and County of \$2,- 100.00.	
Clerk	720.00
Auditor	469.00
<i>Provided</i> , this amount shall be varied, if necessary, to provide a total salary to the Auditor from State and County of \$1,- 800.00.	
Clerk four (4) months	240.00
Superintendent of Education	1,800.00
Travel allowance	420.00
County Tax Collector, effective upon his qualification, salary \$125.00 per month, 14 months	1,750.00
Travel allowance, \$25.00 per month 14 months	350.00
Attorney	125.00
Coroner	360.00
Travel allowance	120.00
Court House Janitor	480.00
Supervisor	2,100.00
Clerk	720.00

County Commissioners (2)	480.00
Sheriff's Secret Service Fund for crime detection and for the pur- chase of finger-print outfit	300.00

MAGISTRATES:

Manning	800.00
Summerton	650.00
Salem	450.00

The above salaries shall be in lieu
of all fees except those provided
by law for Magistrates in civil
cases.

TOTAL	23,483.00
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(c) COUNTY BOARDS:

Board of Education per diem (to be paid from County Board Fund)	72.00
County Board of Education Fund (to replace game fund)	300.00
Board of Equalization, not over 5 days each at \$2.75 per day ..\$	450.00
Vital Statistics	285.00
Clerk, County Health Unit	600.00
Farm and Home Demonstration Agent:	
Office expense	200.00
County short course (Home Dem.)	35.00
Boys' 4-H Club Work	35.00
Girls' 4-H Club work	35.00
County Advertising Fund to be expended by County Board of Commissioners	150.00

TOTAL	\$ 2,162.00
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(d) JURORS AND WITNESSES: \$ 1,700.00

Poor Fund, for distribution to
and care of needy persons by

County Board of Commissioners, if so much be necessary, part or all of which may be used to match State and/or Federal funds for such purpose.	3,000.00	
Jail expenses, including dieting of prisoners at forty-five (45¢) per day	1,200.00	
Post Mortems, inquests and lunacy	250.00	
Public buildings, water, light and insurance	2,000.00	
Printing, postage and stationery..	1,200.00	
Miscellaneous contingent	2,000.00	
Bond premiums	525.00	
Interest on current loans in anticipation of collection of taxes.	250.00	
American Legion aid for service to veterans; two-thirds to Post at Manning; one-third to Summerton post	300.00	
Fire Insurance Premiums on Court House and Jail 1935-1937	1,009.35	
TOTAL		13,434.35
GRAND TOTAL		60,779.35
Less estimated revenues other than property taxes:		
Road taxes	1,500.00	
Fines—Clerk of Court	150.00	
Magistrates	2,500.00	
Gasoline tax	15,000.00	
Insurance Licenses	1,500.00	
Fees from County offices	7,500.00	
From forfeited lands	12,500.00	
Liquor, beer and wine	2,000.00	
TOTAL		42,650.00
Balance to be raised by taxation.		18,129.35

This act is intended and shall be construed to make appropriations for the operation and activities of Clarendon County for the period beginning July 1, 1937 and ending June 30, 1938, except as to the appropriation for salary and travel of the Tax Collector which shall become effective on the day on which he qualifies.

Unexpended balances from appropriations in former years shall be converted into the general fund of the County.

The Supervisor and Treasurer are hereby authorized to borrow money in anticipation of collection of revenues to be expended under this Act, not to exceed twenty thousand (\$20,000.00) dollars for ordinary County purposes, and also thirty thousand (\$30,000.00) dollars additional to pay interest on and principal of County bonds, if it should become necessary; and for any sum or sums so borrowed and interest thereon not to exceed (6%) per centum per annum, said officers shall issue the promissory note or notes of the County therefor and as security for the payment thereof pledge the aforementioned revenues, including 1937 and former years (uncollected) property taxes and/or any or all other County revenues and the full faith and credit of the County. The Supervisor shall not spend or contract to spend in excess of any amount appropriated for any item, and he shall keep accurate records and book accounts of all expenditures and contracts for expenditures in accordance with the classification and items as appear in this Act.

§ 2. The County Treasurer of Clarendon County, upon written request from a majority of the School Trustees of any School District in said County, endorsed by the Superintendent of Education of the County be, and he is hereby, authorized and empowered, in anticipation of taxes for the year 1937, and also in anticipation of the collection of uncollected taxes for prior years, to borrow for ordinary school purposes in such school district an amount not exceeding eight-five (85%) per centum of the amount that will be raised by the tax levy for the year 1937, and the amount due on account of said uncollected taxes, at a rate of interest not to exceed six (6%) per centum, and issue the promissory note or other obligation of the County therefor, and as security for the payment of said loan or loans to pledge the taxes to be collected for such school district for said year: *Provided*, That the proceeds arising from the authority herein given shall be used solely for the payment of ordinary school expenses in keeping schools open in the respective school districts

in said County until said schools can realize from the collection of taxes.

§ 3. Any note or obligation given for an amount exceeding the total authorization herein shall be null and void unless authorized in writing by a majority of the Clarendon Delegation in the General Assembly. No county officer charged with disbursing the funds herein provided shall expend or contract to spend under any general item any sum greater than the amount for each general item being appropriated without the written consent of a majority of the members of the County Delegation to the General Assembly. Any violation of this provision is hereby declared a malfeasance in office and such officer shall be subject to removal by the Governor upon the recommendation of a majority of the Delegation. He shall be liable on his official bond for all sums expended or contracted to be spent in excess of the appropriation without first getting the written consent of a majority of the Delegation as hereinbefore provided.

§ 4. All purchases of property or supplies of any kind ordinarily purchased within the County, for use of the County of the value of one hundred (\$100.00) dollars or more, shall be made only after ten days notice inviting bids, said notice being posted on the bulletin board in front of the Court House door, and all bids received pursuant to such notice shall be considered and acted upon by the Board of County Commissioners in open meeting.

§ 5. The County Treasurer is hereby charged with the additional duty of keeping a record of all disbursements in accordance with the classification and items of the appropriations herein made; and the County Supervisor shall enter upon each check or warrant drawn by him the name of the fund or appropriation against which it is drawn and by such entry the Treasurer shall charge the expenditure upon his records.

§ 6. The County Treasurer shall set up and keep sufficient books and records, in addition to such now kept or required by law, to fully comply with the foregoing Section; and she shall refuse payment of any check or warrant drawn in excess of the appropriation against which it is drawn; and not later than the tenth day of each calendar month hereafter she shall prepare a statement of the total amounts paid out upon the various appropriation items, except salaries and other fixed lump sum appropriations, copies of which statement she shall deliver or mail to the Supervisor, each member of the County

Board of Commissioners, and to each member of the County Legislative Delegation.

§ 7. In the event that any appropriation item is exhausted before the end of the fiscal year covered by this Act and, in the opinion of the County Board, additional funds are necessary for such purpose, the necessity and the grounds therefor may be presented to the County Legislative Delegation and a majority of the members thereof may authorize additional expenditures, and the written direction of such majority will authorize the County Treasurer to pay such excess amounts out of any available funds in her hands.

§ 8. From any funds in the hands of the County Treasurer to the credit of any school district (except State aid for teachers' salaries) such Treasurer is authorized and directed, upon the written direction of a majority of the trustees, to pay in whole or part any obligation or obligations of said district. The attendance teacher for the County shall assist the County Superintendent of Education in the performance of his duties, under his direction so long as such does not conflict with the duties of the attendance teacher. The County Treasurer is hereby authorized to pay to Clarendon Cash Depository, without presentation of the coupon, the sum of \$27.50, for coupon No. 18 in that amount, due July 1, 1936, detached from bond No. 9 of Salem Centralized High School District, lost while the property of said Depository, upon the filing with her of an affidavit of such loss.

§ 9. The County Treasurer and the County Board of Commissioners are hereby authorized and empowered to enter unto any agreement or agreements, in their discretion to the interest of County, with respect to the deposits of the County in the now closed Peoples State Bank of South Carolina.

§ 9-a. Whenever it appears to the County Board that a purchaser at a tax sale received nothing for his bid, because of double entries or other errors in the County records, they may refund the amount paid on account of such bid by approving a claim therefor against the County, which may be paid from collections from forfeited lands or from the appropriation herein for contingent expenses; but nothing herein shall be construed as a warranty or representation by the county of the validity of any title acquired at tax sale now or hereafter.

§ 10. An audit of the offices and records or any part thereof of the County, may be had at any time in the fiscal year 1937-1938 by the County Legislative Delegation, or a majority thereof, and the ex-

penses therefor paid on their written order to the Supervisor and Treasurer from any available funds in the hands of the latter.

§ 11. The Auditor and Treasurer of the County shall so complete the necessary work in their respective offices in order to open the Treasurer's books for the collection of 1937 State and County taxes on September 1, 1937, and the collection of said taxes shall begin on that date.

§ 12. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 13. This Act shall take effect upon its approval by the Governor.

Approved the 15th day of May, 1937.

(618)

No. 468.

AN ACT to Authorize and Empower the Trustees of Summerton School District No. 22 and County Treasurer of Clarendon County to Borrow a Sum of Money Not Exceedinn Six Thousand (\$6,000.00) Dollars and to Provide for the Levy of a Tax to Retire Said Loan.

Section 1. Summerton School District No. 22 borrow, Clarendon County.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Summerton School District No. 22 and the County Treasurer of Clarendon County are hereby authorized and empowered to borrow a sum of money not exceeding Six Thousand (\$6,000.00) Dollars at a rate of interest not exceeding six per cent (6%) per annum. The loan shall be secured by note or notes executed by the Trustees of Summerton School District No. 22 and County Treasurer of Clarendon County.

§ 2. **Payment.**—That in order to provide for the payment of the said loan there is hereby levied an annual tax upon all of the taxable property of Summerton School District No. 22, Clarendon County of six (6) mills. The entire proceeds of this special levy shall be paid annually on the principal and interest of the note given to secure the loan until the said loan with interest is paid in full, at which time the tax shall no longer be levied. It shall be the duty of the Auditor of Clarendon County to levy the said special tax annually on all of the taxable property of Summerton School District No. 22 and the duty of the County Treasurer of Clarendon County to collect the tax so levied as other taxes are now collected by law.

§ 3. **Election.**—Before the above authorized loan shall be made and the tax levied for the payment thereof, the question of the incurring thereof shall be submitted to the voters of said District in accord with the provisions of Section 5360, Volume II of the Code of 1932, and a favorable vote thereon obtained.

§ 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 15th day of May, 1937.

(639)

No. 469.

AN ACT to Repeal an Act Entitled "An Act to Authorize and Empower the Trustees of Summerton School District No. 22 and County Treasurer of Clarendon County to Borrow a Sum of Money Not Exceeding Six Thousand (\$6,000.00) Dollars and to Provide for the Levy of a Tax to Retire Said Loan", Approved May 15, 1937, and to Authorize and Empower the Trustees of Summerton School District No. 22 and the County Treasurer of Clarendon County to Borrow a Sum of Money Not Exceeding Six Thousand (\$6,000.00) Dollars and to Provide for the Repayment of the Principal Thereof and the Interest Thereon by the Setting Aside of Six (6) Mills of the Present School District Tax of Said District and the Application of the Proceeds of the Collection Thereof to the Payment of Said Principal and Interest Until the Same be Paid in Full.

Section 1. Act 468, 1937 Acts, repealed—Summerton School District No. 22, Clarendon County, borrow.—Be it enacted by the General Assembly of the State of South Carolina: The Act of the General Assembly entitled "An Act to Authorize and empower the Trustees of Summerton School District No. 22 and County Treasurer of Clarendon County to borrow a sum of money not exceeding Six Thousand (\$6,000.00) Dollars and to provide for the levy of a tax to retire said loan," approved May 15, 1937, be and the same is hereby repealed.

§ 2. **Summerton School District No. 22 borrow, Clarendon County.**—That the Trustees of Summerton School District No. 22

and the County Treasurer of Clarendon County are hereby authorized and empowered to borrow a sum of money not exceeding Six Thousand (\$6,000.00) Dollars at a rate of interest not exceeding six (6%) per cent per annum. The loan shall be secured by note or notes executed by the Trustees of Summerton School District No. 22 and the County Treasurer of Clarendon County.

§ 3. **Payment.**—That in order to provide for the payment of the said loan and interest there shall be set aside six (6) mills of the present special school district tax of sixteen (16) mills now upon all of the taxable property of Summerton School District No. 22, of Clarendon County. The entire proceeds of this six (6) mill levy shall be paid annually on the principal and interest of the note given to secure the loan until the said loan with interest is paid in full. It shall be the duty of the Auditor of Clarendon County to levy the said special tax annually on all of the taxable property of Summerton School District No. 22 and the duty of the County Treasurer of Clarendon County to collect the tax so levied as other taxes are now collected by law.

§ 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 21st day of May, 1937.

(403)

No. 470.

AN ACT to Provide for the Refund and/or Abatement of 1936 Ordinary County Taxes of Taxpayers Who Suffered Certain Loss by Reason of the Hail Storm in the Salem Section of Clarendon County in 1936.

Section 1. Tax relief for certain hail sufferers, Salem section, Clarendon County.—Be it enacted by the General Assembly of the State of South Carolina: All taxpayers of Clarendon who suffered loss of their money crop, either tobacco or cotton, to the extent of twenty-five (25%) per cent. or more, according to the estimate hereinafter referred to, as the result of the disastrous hail storm in the Salem Section of said County in 1936, are hereby exempted from the payment of the ordinary tax levy for county purposes for said year on the property assessed against them or

for the payment of taxes upon which said sufferers were or are responsible; and, in the event any taxpayer who is entitled to relief under the terms of this Act has already paid his taxes, the amount of ordinary county taxes paid by him shall be credited by the County Treasurer upon the amount of the levy for the same purpose for the year 1937.

It shall be the duty of the Auditor and the Treasurer of Clarendon County to carry into effect the terms of this Act, to prepare and allow abatements in accord herewith, and to permit credit upon 1937 taxes for 1936 taxes already paid, as aforesaid.

Said County officers shall rely upon the estimate of damage done by said hail storm prepared under the direction of the Agricultural Agent for said County immediately after the occurrence of said storm, and they shall further require and accept such evidence as they deem satisfactory as to the real losers in said disaster against whose property taxes were assessed for said year, that is to say, they shall allow abatement for 1936 ordinary county taxes or provide for the credit on 1937 taxes of such amount as may have been paid on account of 1936 taxes to land and other property owners who suffered financial loss to the extent above stated on account of said hail storm whether or not the names of such sufferers appear upon the aforesaid estimate of the County Agent of such hail storm damage.

§ 2. Information applicants for relief furnish.—The aforementioned County officials shall require such information and evidence of applicants for the benefit of this Act as in their judgment will assure the relief to all taxpayers entitled thereto and no others.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(158)

No. 471.

AN ACT to Provide for the Levy of Taxes for County Purposes for the County of Colleton for the Year Beginning January 1, 1937, and for the Expenditure Thereof; and Otherwise Regulate the Fiscal Affairs of Said County; and to Extend the Provisions of Act No. 867 of the Acts of the General

Assembly of 1932, and Providing for the Possible Increase of Reducation of the Tax Levied Thereby Authorized.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of a sufficient amount to pay appropriations hereinafter made is hereby levied upon all the taxable property in Colleton County for County purposes for the year commencing January 1, 1937, for the amounts and purposes hereinafter set forth:

Item 1:

(a) Roads, Bridges, Convicts, Maintenance gangs, equipment and material	\$ 30,000.00	
(b) For on account purchase new road working machinery	\$ 7,187.50	
Total Item 1		\$ 37,187.50

Provided, That in addition to the said Seven Thousand One Hundred Eighty Seven and 50/100 (\$7,187.50) Dollars for road working machinery above provided for, the County Supervisor and the County Treasurer are authorized and empowered to borrow for and in the name of Colleton County the sum of Twenty-One Thousand Five Hundred Sixty Two and 50/100 (\$21,562.50) Dollars to supplement said amount, and to execute a note or notes of Colleton County therefor, the same to draw interest at a rate not exceeding four (4) per cent per annum, payable annually, and to be payable in three (3) equal successive annual installments commencing one (1) year from date thereof. The full faith, credit and taxing power of Col-

leton County are hereby irrevocably pledged for the payment of the said notes and any extensions or renewals thereof. Unless the General Assembly at its succeeding sessions hereinafter, in the Colleton County Supply Bill, or otherwise, shall make appropriation and provision for the payment of the said notes with interest thereon, then, and in that event, the Auditor of Colleton County is hereby authorized and directed to make sufficient levy to pay said notes with interest thereon as they become due, and said taxes shall be payable and collectible at the same time and in the same manner as other county taxes, and when collected shall be segregated and used solely for the payment of the said indebtedness.

Item 2. Salaries:

(a) Clerk of Court	\$ 2,100.00
Deputy Clerk of Court	1,200.00
For Extra Clerical Assistance....	300.00
(b) Sheriff	\$ 2,100.00
Expenses of Sheriff and all deputies for actual travel while conveying prisoners, serving legal process, or enforcing the collection of taxes	800.00
Expenses of Sheriff and deputies for actual travel on official business other than above	200.00
Deputy Sheriff	1,380.00
Clerk to Sheriff	1,080.00

(c) Treasurer	3,000.00
(This amount is inclusive of the amount payable to him by the State, the County to pay only the difference between such amount and sum herein fixed)	
Clerk to Treasurer, 12 months at \$100.00	1,200.00
(d) Auditor	2,350.00
(This amount is inclusive of amount payable to him by the State, the County to pay only the difference between such amount and sum herein fixed.)	
Expenses of Auditor for travel..	50.00
Clerk to Auditor, 12 months at \$75.00	900.00
(e) Superintendent of Education ...	1,850.00
Clerk to Superintendent of Education	350.00
(f) Coroner	308.00
(g) Janitor of Court House, Rest Room and Grounds, First six (6) months @ \$34.00 per month, last six (6) months @ \$40.00 per month	\$ 444.00
(h) Supervisor	2,000.00
Expenses of Supervisor for travel	300.00
Two (2) County Commissioners @ \$30.00 per month	720.00
Clerk to County Board of Commissioners	1,080.00
(i) Attorneys for County.....	350.00
(j) Judge of Probate	1,500.00
Deputy Judge of Probate or Clerk	900.00
(k) Expert to Grand Jury	50.00
(l) Magistrates and Constables:	
Eight (8) at \$200.00 each	1,600.00
One at Walterboro	750.00

Constables:

Seven (7) at \$100.00 each	700.00
One (1) at Walterboro	480.00
One (1) in Warren Twonship...	220.00

Fees of Constables for conveying prisoners by the most practicable routes at the rate of five (5¢) cents per mile each way, and no constructive mileage to be charged	375.00
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Provided, That the above compensation shall be in lieu of any and all fees in criminal cases and Magistrates and Constables shall not charge fees in criminal cases.

Office rent for Magistrate at Walterboro at \$5.00 per month...\$	60.00
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(m) County Boards:

Board of Equalization	400.00
Board of Registration	180.00
Board of Education	50.00
Total Item 2:	\$ 31,327.00

Item 3:

Jail—expenses including dieting of prisoners, not to exceed thirty five (35¢) cents per day each	\$ 2,700.00
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Total Item 3:	2,700.00
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Provided no fees shall be paid for receiving and discharging prisoners

Provided, further that the Sheriff of Colleton County, with the approval of the Supervisor, is authorized to contract with some responsible person at an amount not exceeding Two Hundred (\$200.00) Dollars per month, to act as jailor and for the maintenance of prisoners

in the County Jail. Should such contract be entered into, it shall be the duty of the Sheriff to have supervision of the dieting, care and maintenance of said prisoners, and to determine whether or not good and wholesome food in sufficient quantity is furnished to them under the said contract and his decision in such matter will be final. The costs of heating, medical attention, bedding and furniture, necessary for the maintenance of said prisoners, is not to be included in the said contract, but shall be furnished by the County. All other expenses shall be included in the said contract. In addition to said contract price the contracting party shall also receive all fees received for maintaining Federal and Municipal prisoners,

Item 4: Court—expenses, jurors and witnesses	\$ 2,500.00	
Total Item 4:		\$ 2,500.00
Item 5: County Farm, Poor House and Poor	\$ 1,800.00	
Total Item 5:		1,800.00
(This amount shall not be expended in sums greater than One Hundred Fifty (\$150.00) Dollars, in each month. <i>Provided</i> , That should the expenditures in any month be less than One Hundred Fifty (\$150.00) Dollars, the difference may be expended in subsequent months.)		

Item 6: Post Mortems, Inquests and Lunacy	180.00	
Total		180.00
<i>Provided</i> , no fees shall be paid by the County to the Probate Judge under this item.		
Item 7: Bond Premiums for Public Officials	1,000.00	
Total		1,000.00
Item 8: Public Buildings, including water, fuel, light and insurance	1,200.00	
Incidentals for Women's Rest Room, to be paid to and expended by Walterboro Civic League	60.00	
Total		1,260.00
Item 9: (a) Printing, postage, books, stationery, including Magistrate's blanks	\$ 1,700.00	
<i>Provided</i> , That the Supervisor shall call for bids and shall let contracts to the lowest responsible bidder, wherever practicable, for the purchase of all books, and blanks.		
(b) Publication of Supervisor's Reports	100.00	
(c) For postage, material and expenses County Treasurer in sending notices to taxpayers...	225.00	
(d) For postage, material and expenses County Sheriff in sending notices to defaulting taxpayers	100.00	
Total		\$ 2,125.00
Item 10: Miscellaneous:		
(a) Vital Statistics	222.75	
(b) Walterboro Public Library, for purchase of books	150.00	

For Salary Librarian 150.00

This amount is contingent upon the said library being kept open for the public for at least four (4) afternoons each week upon the same terms to all residents of the County.

(c) Hospitalization for the Poor.... 3,000.00

Provided, No patient is allowed more than Twenty (\$20.00) Dollars per week nor for a longer period than three (3) weeks for any one year. Said amount shall not be expended in sums greater than \$250.00 in each month, but in event that the entire amount for any one month shall not be expended within that month, then the same may be expended in succeeding months.

(d) Civil Contingent Fund\$ 1,500.00

Provided, that the civil contingent fund shall not be expended except for emergency and contingent expenses of the County, and only as directed by, and upon the written approval of the Legislative Delegation of Colleton County, or the majority thereof.

(e) For use of Probate Judge in Child Placing Work to give temporary relief pending said children being permanently placed, to be disbursed upon his claims..... 300.00

(f) Expenses of County Annual Audit 300.00

The annual audit shall be made through the Comptroller General's office, and the auditors

shall, in addition to the usual matter contained in such audits, carefully audit and report the fees of the office of Sheriff, Treasurer, Auditor, Clerk of Court, and Probate Judge, for which they are accountable to be turned into the general fund of the County. The Auditors shall also audit the record required to be kept under Section (4) of this Act and they shall report such other information pertaining to the fiscal affairs of the County as may be required by any member of the County Delegation. Copies of Report shall be furnished to each member of the Legislative Delegation.

(g) County Service Officer at \$80-	
.00 per month	960.00

Provided, That the sum hereby appropriated shall be paid in equal monthly installments to a Service Officer, who shall be selected at a joint meeting of the Colleton County Post of the American Legion and of the Colleton County Post of the Veterans of Foreign Wars, the said meeting to be called by the American Legion Post and held at its hut near Walterboro, S. C. The person so selected by the said two posts shall be certified to by the Post Commander for the American Legion to the County Supervisor. No additional compensation or expense

account shall be paid to the Service Officer during the year 1937.

- (h) For County Health Unit\$ 3,000.00

Provided, That any unexpended portion may be suspended at any time by resolution of the Colleton County Legislative Delegation, or a majority thereof. *Provided, further*, That said money shall be disbursed upon properly prepared itemized vouchers prepared monthly.

- (i) Refund to H. W. Marvin, on tax sales, as follows:

George Brown, Blake Tp.....	\$ 10.44	
Estate Eliza Washington Blake Tp.	7.99	
Sally Brown, Blake Tp.....	21.58	
Tom Washington, Blake Tp. ...	15.40	
Estate Jack Lucas, Lowndes	15.35	
Estate James Youngblood Lowndes Tp	11.29	82.05

- (j) Refund to E. O. Reynolds on tax sales and taxes, re:

Dacey Bowman 12.37

Provided, these refunds shall not be made, except upon recommendation of the County Auditor, and his certification that the claims are correct.

Total \$ 9,677.17

Item 11. Club Work and Demonstration Expenses:

Office Rent, County Agent's office.\$	270.00
Office Rent, Home Agent's office.	90.00
Boys 4-H Club activities, including camp	125.00
Women's Club Market	25.00

Women's and Girls' Short Course	180.00	
Janitor Service	35.00	
Miscellaneous office Supplies	70.00	
Office rent for Negro Demonstration Agent	150.00	
		\$ 945.00
Item 12. Boy scout Organization	25.00	
Total		25.00
Item 13. For Administration of Colleton County Forest Fire Control Organization Act, to Dec. 31	\$ 2,000.00	
Total		2,000.00
Item 14. Emergency Relief activities of Federal Government:		
(a) W. P. A. Sewing Rooms for findings	400.00	
(b) To cover payments made to Temporary Department of Public Welfare as county contribution during 1936	1,000.00	
(c) For similar participation January and February, 1937	400.00	
(d) For further relief of dependents expended by such officials and as may be directed by resolution of the County Legislative Delegation, or a majority thereof, as may be necessary	\$ 1,000.00	
(e) For payment of County's note due 2/15/37 for funds to cover W. P. A. indexing project in the Clerk of Court's office	3,272.00	
(f) For additional supplies for said project	250.00	
(g) For superintendence for W. P. A. Indexing Project in Clerk of		

Court's office after February,
1937 250.00

The duties of superintending said
project shall be devolved on the
Clerk of Court who shall be
paid said amount in ten equal
monthly installments commenc-
ing with March, 1937.

(h) To Dixie Culvert & Metal Co.,
Claim for piping on W. P. A.
project 589.00

(i) Town of Walterboro for one-half
of rentals expended for Federal
Relief Work, not exceeding
\$50.00 per month 600.00

Provided, That should the town
of Walterboro develop its own
property for occupancy and use
of the agencies requiring this
rental to be paid, so as to there-
after free the County of any ob-
ligation to participate in the
payment of further rentals (not
including water, lights, and tele-
phone) then and in that event,
upon the approval of the County
Legislative Delegation, or the
majority thereof, any unexpended
portion of the said \$600.00
may be used in re-imbursing the
Town of Walterboro for one-
half of the cost of preparing
such offices for occupancy, not
exceeding, however, the amount
of said unexpended balance.

(j) Engineering Work, for Engineer,
and material and supplies in
connection with Federal Relief
work\$ 1,800.00

Provided, the engineer shall not receive more than \$125.00 per month; that any unexpended portion of this item may be suspended at any time by resolution of the Legislative Delegation of Colleton County, or a majority thereof. Any refunds which may come back to the County from Federal projects, not otherwise earmarked, shall be applied towards the payment of the County's note or notes given under authority of this Act.

(k) Rental for emergency crop and seed loan office at \$5.00 per month		60.00	
Total			\$ 9,621.00
Item 15. Deficits of 1936:			
For typewriter for Clerk of Court's office		167.50	
For typewriter for Judge of Probate's office		183.00	
Julia Mellichamp, Registered Nurse, County Health Work in 1935		100.00	
Printing account		942.31	
Sheriff's expense account		181.85	
Public Buildings account		39.15	
Poor House and Poor		372.71	
Jail Account		2,075.02	
Roads and Bridges Account		2,442.49	
Lunacy Account		33.00	
For payment of first installment note and interest, under Act No. 1085 of the Acts of 1936, for road working machinery		\$ 3,240.00	
Total			\$ 9,777.03

GRAND TOTAL	\$112,124.20
Less estimated revenue other than taxes:	
Gasoline tax	\$ 13,200.00
Commutation Road Tax	3,000.00
Licenses and Fines	1,500.00
Fees, costs, mileage and commis- sions from county offices	13,500.00
State insurance	1,100.00
From State, salaries of Auditor and Treasurer	2,500.00
From alcoholic beverages	2,500.00
Unexpended balances 1/1/37 ...	3,000.00
Total	\$ 40,300.00
Approximate amount to be raised by taxation	\$ 71,824.20

§ 2. The County Board of Commissioners and the County Treasurer of Colleton County are authorized and empowered to borrow a sum of money necessary to pay the various items of this Act, taking into consideration any moneys which may be available for such purposes before said funds are borrowed, from any source, and for that purpose the County Board of Commissioners, together with the County Treasurer, are hereby authorized and empowered to execute the necessary and proper obligation or obligations of Colleton County and pledge the taxes and other revenues that may be collected for the year 1937 for the payment of the same; said obligation or obligations to draw a rate of interest at such rate as may be agreed upon. Said borrowing may be in installments as the need therefor arises. Said County Board of Commissioners and County Treasurer are hereby authorized and empowered in their discretion to borrow the said sum of money or any portion thereof from time to time as the need may arise from the Sinking Funds belonging to Colleton County; and in the event that the said Board of County Commissioners and County Treasurer should decide to borrow from the Sinking Fund Commission, then and in that event, the County Board of Commissioners shall execute and deliver to the County Treasurer the note or notes of Colleton County for said funds as borrowed, which note or notes shall pledge the taxes and other revenues to be collected during the year 1937 for the purpose of guaranteeing the repayment of said funds to the said Sinking Fund. In the event that

the County Board of Commissioners and the County Treasurer should decide to borrow from the Sinking Funds, then and in that event the rate of interest on said loans shall not exceed four (4%) per cent.

§ 3. The County Board of Commissioners upon the written approval of the majority of the Legislative Delegation are authorized to expend any balance that may remain on December 31, 1937, of the above levies to supply any deficiencies in the several items of appropriations. The County Board of Commissioners are hereby prohibited from drawing any warrant upon the County Treasurer to be paid out of any of the several funds, especially appropriated for any purpose other than that for which the same shall have been appropriated; and it shall be unlawful for the County Treasurer to pay any such inhibited warrant. It shall be unlawful for the County Board of Commissioners to create by contract, expressed or implied, any obligation against the County, which, with the obligations then existing and chargeable to any particular item of the appropriation, shall exceed the amount specifically appropriated therefor: *Provided*, That in case of emergency, with the written consent of the County Legislative Delegation, this requirement may be dispensed with. Should the County Board of Commissioners and the County Treasurer violate the provisions of this section, the official or officials so offending shall be held responsible upon his official bond, both to the County and the party contracted with.

§ 4. No machinery, tools, road or bridge material, wares and merchandise, or supplies of any kind shall be purchased except upon a written order in triplicate therefor, dated and signed by the Supervisor, and specifying the thing and quantity purchased, the amount to be paid therefor and the name of the seller. A suitable book shall be procured by the Supervisor for this purpose and in it the triplicate orders must be consecutively numbered, each set of triplicates bearing the same number and so prepared that two may be detached from the book and be given to the seller, and the other remain in the book as a permanent part thereof and be non-detachable. Before any seller shall deliver anything purchased to the County he must procure the two detachable triplicates, one of which he may retain and the other of which he must attach to his County claim as a part thereof covering the sale and claim for compensation thereunder. It shall be unlawful to either antedate or post date any of said orders, and none shall be written or prepared *nunc pro tunc*. Any sale made to the County without the seller first procuring the said

two triplicates shall be void and the County shall not be liable for the purchase price thereof. No claim covering a sale to the County shall be approved by the Supervisor and County Board of Commissioners unless an order as directed above shall first have been obtained, nor unless the claim has attached thereto, to remain as a permanent part thereof, one of the triplicates given to the seller as above provided. Should any officer or employee of Colleton County purchase or cause to be purchased anything in behalf of the County in violation of this section, the County shall not be responsible therefor, but the individual or individuals making said purchase shall be personally liable therefor, and be also responsible on their official bonds.

§ 5. The County Treasurer is directed and required to apply any surplus from any sinking fund accumulated for the payment of any obligation of the County, after the said obligation has been paid, toward the payment of any past indebtedness incurred under any previous County Supply Bill.

§ 6. The County Supervisor and County Board of Commissioners are forbidden to pay the rental for any telephone save one telephone for the office of the Clerk of Court, one for the office of Sheriff, one for the office of the County Treasurer, and one for the County Jail.

§ 7. Immediately upon receiving tax duplicates from the Auditor, the County Treasurer shall cause to be mailed to each taxpayer listed thereon, whose Post Office address is available, a written or printed notice, stating thereon the amount of taxes assessed against the said taxpayer for the current year, with such other information as the said County Treasurer may deem desirable. This service to the taxpayer being gratuitous, no obligation shall rest upon the County or State or County Treasurer for any failure or mistake on the part of the County Treasurer in giving or failing to give said notice.

§ 8. The County Board of Commissioners shall not pay more than four (\$4.00) dollars for physician's examination in lunacy proceedings. There shall be no fees paid to Magistrates in lunacy proceedings, nor in inquests. The item above, of Three Hundred and Fifty (\$350.00) Dollars for County Attorneys shall be in full for legal services to be rendered during the year 1937 by the County Attorneys.

§ 9. That should Colleton County be unable, because of the failure to promptly collect its taxes, or because of the postponement of the time of the payment of taxes, to pay promptly when due, any of

its outstanding promissory notes authorized by law and for which said taxes have been pledged in payment, then the officials of said County, who are authorized and empowered and required to borrow money, may borrow sufficient amount of money as may be necessary to pay said notes, bearing a rate of interest at the best rate obtainable, and payable at such time or times as said officials may estimate will be necessary for the collection of a sufficient amount of taxes to pay the same. That the same taxes as were pledged for the payment of the original notes shall be pledged for the payment of the new notes. The County Treasurer is hereby authorized to use any funds which may arise from the collection of taxes unpaid for past years, which have not already been pledged to supplement the tax levy provided for. In the event that said funds shall not be necessary to supplement funds raised by taxation as hereinabove provided, then the County Treasurer is hereby authorized and empowered to apply the said funds or any portion thereof which may be available to the reduction of the past indebtedness of the said County.

§ 10. No claim of a Magistrate for salary shall be approved or paid unless such claim is accompanied by a verified itemized statement showing the amounts of all fines collected, when and from whom, since the filing of the last preceding salary claim, and an exhibition of the official receipt of the County Treasurer showing the payment of such fines into the Treasury. The Supervisor is required to publish as an appendix to his quarterly report an itemized list of all such fines so reported under the name of the Magistrate collecting the same.

§ 11. The Supervisor is forbidden to contract any liabilities and/or expend out of the appropriation made in Item 1 (a) of Section 1, any amount in excess of Two Thousand Five Hundred (\$2,500.00) Dollars in any one month. *Provided*, If there shall be any unexpended balance from any month's allowance, then said unexpended balance may be expended in any subsequent month or months. All warrants drawn to be paid out of said fund shall be so designated, and the County Treasurer is forbidden to pay any warrants not in accordance with the above schedule. Any official violating the provisions of this section shall be personally liable, and his official bond also, for any violation thereof.

§ 12. The salary hereinbefore fixed in section 1, Item 2, Subdivision H, for the Supervisor, shall be paid to him monthly, except for the month of December, 1937. The salary of the Supervisor for December, 1937, shall not be paid to said official unless and until he

makes and files with the County Treasurer an affidavit stating that no more than Thirty Thousand (\$30,000.00) Dollars appropriated under Section 1, Item 1 A of this Act, has been expended or contracted for the year 1937. Upon the making and filing of such affidavit the December 1937 salary of such official so making and filing such affidavit shall be payable to him.

§ 13. That the provisions of section 1, of Act No. 867, approved the 6th. day of April, 1932, relating to the fiscal affairs of Colleton County, shall be applicable to any Act of the General Assembly providing State Aid for the operation of schools and the maximum tax of nine (9) mills referred to in sub-divisions (a) and (b) and the tax of three (3) mills referred to in sub-division (c) of said Section shall be increased or reduced by the County Auditor in such amount as may be directed in writing by the Legislative Delegation from Colleton County, or a majority thereof, it being impossible at the time of the passage of this Act to determine what State Aid, if any, will be extended by the General Assembly on legislation now pending.

§ 14. If any term or provision of this Act shall be declared unconstitutional or invalid in whole or in part by a Court of Competent jurisdiction, then to the extent that it is not unconstitutional or invalid such term or provision shall be enforced and effectuated, nor shall such determination be deemed to invalidate the remaining terms or provisions thereof.

§ 15. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 16. This Act shall take effect immediately upon its approval by the Governor.

Approved the 11th day of March, 1937.

(52)

No. 472.

AN ACT to Amend an Act Entitled "An Act to Authorize the County Supervisor and County Treasurer of Colleton County to Issue and Sell Bonds of Said County for the Improvement of the Colleton County Courthouse and Jail and to Provide for the Payment of Said Bonds with Interest," Approved 27 March, 1936, Being Act No. 1084 of the Acts of 1936, so as to Increase the Amount of Said Bonds, and to Provide for a New Jail, and for Equipping Said Buildings and to Provide for the Payment of the Expenses of the Sale of Said Bonds.

Section 1. Act 1084, 1936 Acts, amended—Colleton County issue bonds remodel and equip courthouse, and remodel or build and equip jail.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of Act No. 1084 of the Acts of 1936, entitled “An Act to Authorize the County Supervisor and County Treasurer of Colleton County to Issue and Sell bonds of Said County for the Improvement of the Colleton County Courthouse and Jail and to Provide for the Payment of Said Bonds with Interest”, approved 27 March, 1936, be, and the same is hereby, amended by striking out said section and inserting in lieu thereof the following, to be known as Section 1:

“Section 1. The County Supervisor and County Treasurer of Colleton County are hereby authorized and directed to issue negotiable coupon bonds of Colleton County, South Carolina, in the following maximum amounts for the following purposes:

(a) To supply the portion to be paid by the County for the cost of remodeling and/or equipping the Colleton County Courthouse under PWA Docket S. C. 1104, if so much be necessary..\$39,000.00

(b) To supply the portion to be paid by the County for the cost of remodeling and/or equipping the Colleton County jail or for building and/or equipping a new county jail, under PWA Docket S. C. 1204, if so much be necessary.....25,500.00.

No bonds shall be issued unless and until the Public Works Administration of the United States shall approve a grant to Colleton County to assist in financing said purposes. Said bonds may be issued from time to time as the needs for said funds may arise.

§ 2. Same—payment of expenses.—That Section 4 of Act No. 1084 of the Acts of 1936, be amended by adding at the end of said Section 4, the following: ‘*Provided*, All expenses in connection with the issuance and sale of said bonds, including an attorney’s fee of one (1%) per cent thereof, shall be paid from the proceeds of said bonds.’”

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 12th day of February, 1937.

(483)

No. 473.

AN ACT to Amend Act No. 1084 of the Acts of 1936, Approved the 27th Day of March, 1936, as Amended by an Act Approved the 12th Day of February, 1937, Relating to Court House Improvement Bonds and Jail Improvement Bonds of Colleton County, by Providing for the Issuance of Further Bonds for the Purpose of Procuring Funds for Further Improving and Equipping the Said Colleton County Court House and Colleton County Jail.

Section 1. Act 1084, 1936 Acts, amended—issue additional bonds equip and improve court house and jail, Colleton County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 1084 of the Acts of the General Assembly of 1936, approved the 27th day of March, 1936, as amended by an Act of the General Assembly of South Carolina, approved the 12th day of February, 1937, be amended by adding the following immediately at the end of Section 1 as amended, to-wit:

“That in addition to the said bonds provided for there shall also be issued and sold bonds of the face value of not exceeding Nine Thousand (\$9,000.00) Dollars, to be known as Court House and Jail Improvement Bonds, the proceeds thereof to be used as may be necessary in further improving the said Court House and Jail, and to equip the same. *Provided, Further,* That any surplus remaining from the proceeds of the sale of the said Court House Improvement Bonds, or from the proceeds of the sale of the Jail Improvement Bonds, or from the proceeds of the sale of the Court House and Jail Improvement Bonds may be used in the completion of either or all of the remaining projects.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(144)

No. 474.

AN ACT to Validate, Confirm and Provide for the Payment of Certain Notes Issued by the County Board of Education for Colleton County and by Walterboro School District No. 19 of said County.

Section 1. Notes issued erect and equip annex validated, Walterboro School District No. 19, Colleton County.—Be it enacted by the General Assembly of the State of South Carolina: That the action of the Board of Trustees of Walterboro School District No. 19 of Colleton County, South Carolina, in issuing and selling an aggregate of Seven Thousand (\$7,000.00) Dollars in negotiable notes dated October 24, 1936, and payable over a period of five (5) years from date, the funds being used in a W. P. A. project in erecting and equipping an annex to the present high school building in the Town of Walterboro, be, and the same is hereby, confirmed and validated; *Provided, however,* That no additional tax shall be levied or collected on the property of the said school district for the payment of the said notes with interest.

§ 2. Notes issued construct Negro school buildings validated, Colleton County—payment.—That the action of the County Board of Education of Colleton County in issuing and selling an aggregate of Twenty-Five Thousand (\$25,000.00) Dollars of negotiable notes drawing four (4%) per cent. interest, dated on or about January, 1937, and being payable over a period of six (6) years from date, be, and the same is hereby, confirmed and validated. The funds so derived shall be used exclusively to meet the County's portion of the cost of a W. P. A. program in Colleton County in the construction of negro school buildings; and whatsoever part of said fund is not so used shall be applied to the payment of the said notes; *Provided, further,* That one (1) mill of the County Unit levy shall be annually segregated and is hereby pledged for the payment of the said notes with interest, as the same become due.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 10th day of March, 1937.

AN ACT to Provide for the Levy of Taxes in Darlington County for County Purposes for the Twelve (12) Months from July 1st, 1937, to June 30, 1938, and for the Expenditure Thereof; and to Authorize the Board of Directors of Darlington County to Borrow for Ordinary County Purposes, and to

Direct the Expenditures Thereof; and to Make Certain Provisions with Respect to the Conduct of the County Government of the Said County

Section 1. Be it enacted by the General Assembly of the State of South Carolina: There is hereby appropriated any and all surplus funds now in the County Treasury, derived from payment of past due taxes and other sources, for the purpose of defraying the ordinary county expenses for the twelve months beginning July 1st, 1937, and ending June 30, 1938, as herein below provided for. Upon the passage of this Act the Auditor is directed to ascertain the actual amount of surplus in the treasury and determine the amount of revenue necessary to meet expenditures provided for in this Act, and in the event that he finds insufficient funds for such purposes he is authorized and directed to levy a tax or sufficient millage to raise any amount necessary to meet the appropriation herein provided for, to-wit:

Item 1. Salaries and Expenses:

(a) Auditor's Office:

Auditor's Salary (County's part)	851.41	
Clerk to Auditor	900.00	
Allowance for per diem and Travel Expenses of Board of Equalization	700.00	
Total		\$ 2,451.41

(b) Clerk of Court's Office:

Clerk to Clerk of Court	900.00	
Total		900.00

(c) Coroner's Office:

Salary of Coroner	\$ 600.00	
Estimated Allowance to pay Jurors attending inquests	200.00	
Total		800.00

(c-1) County Board of Directors:

Chairman (salary) \$50.00 per month	600.00	
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Four members (salary) \$25.00 per month	1,200.00	
Total		\$ 1,800.00
(d) County Service Officer:		
Salary of Service Officer, \$125.00 per month, including expenses.	1,500.00	
Total		\$ 1,500.00
(e) County Health and Welfare:		
Health Department (County's part)	\$ 2,875.00	
County Dentist's Salary	2,000.00	
Darlington Red Cross	600.00	
Hartsville Red Cross	600.00	
Lamar Red Cross	250.00	
Tuberculosis	500.00	
Public Welfare	3,000.00	
Total		\$ 9,825.00
<i>Provided, That no part of the funds provided for public welfare shall be used except in matching Federal or State aid.</i>		
(g) County Board of Education:		
Salary of Superintendent, \$200.00 per month	2,400.00	
Clerk @ \$75.00 per month	900.00	
Allowance per diem and travel expenses of Board	300.00	
School lunches for all school children (to be spent under supervision of County Board of Education)	400.00	
Cans for use in 1937	400.00	
Total		4,400.00
(h) County Board of Registration:		
Salary of Chairman, \$40.00 quarterly, ...	160.00	

Salary, 2 members @ \$20.00 each quarterly	160.00	
Total		320.00
(1) Judge of Probate's Office:		
Fees and	900.00	
Total		900.00
<i>Provided, That this includes all office help. Judge of Probate shall receive all fees in lunacy proceedings.</i>		
(j) Magistrates:		
Darlington office, salary	1,200.00	
Hartsville office, salary	1,200.00	
Hartsville office. rent	100.00	
Lamar office, salary	600.00	
Lamar office, rent	75.00	
Society Hill office, salary	300.00	
Lydia office, salary	150.00	
Total		3,625.00
(All salaries and rentals to be payable in monthly installments, contingent upon the filing of monthly reports and remittance of all monthly revenue)		
(k) Janitor in Court House \$50.00 per month	600.00	
Total		600.00
(L) Sheriff's Office:		
Salary and expenses of Sheriff, \$250.00	3,000.00	
Total		3,000.00
Three (3) Deputy Sheriffs, \$160- .00 per month each (including expenses and uniforms).....	5,760.00	
Deputy at Lamar \$50.00 per month	600.00	

Finger Print man, \$50.00 per month	600.00	
Jailer, \$75.00 per month	900.00	
Total		7,860.00
(m) Tax Collector's Office:		
Salary of Tax Collector	2,400.00	
Salary of Clerk. \$75.00 per month	900.00	
Total		3,300.00
(n) Treasurer's Office:		
Salary of Treasurer (County's part)	851.41	
Clerk to Treasurer, \$75.00 per month	900.00	
Total		1,751.41
TOTAL OF ITEM 1		47,032.82

Item 2. General Miscellaneous:

(a) Premiums on County Officers' Bonds	1,500.00
(b) Printing, Postage and stationery.	2,000.00
(c) Jurors and Witnesses	4,500.00
(d) Post Mortems and Lunacies	500.00
(e) Dieting prisoners @ 40¢ per day	2,000.00
(f) Insurance on public buildings ...	1,000.00
(g) Water, lights, fuel, telephones for public buildings	2,500.00
(h) Confederate Veterans	200.00
(i) Negro Farm Demonstration	300.00
(j) Vital Statistics	350.00
(k) Hartsville Military Company	400.00
(l) Farm Women Camp	100.00
(m) Refrigeration Equipment Hartsville Home Demonstration Market	1,000.00
(n) Community Market—Sam Want—for remainder in full due him	273.68

(o) Farm Demonstration Agent's rent, light, fuel, etc.	150.00
(p) Contingent Account	4,000.00

Provided, However, That not more than \$500.00 of the Contingent Fund can be spent without approval of a majority of the Legislative Delegation.

TOTAL OF TEM 2..... \$ 20,773.68

Item 3. Roads, Bridges and Chain Gang.. 66,00.00

Provided, However, that the salaries of the County Clerk to the Board and the County Engineer shall be paid from this amount; that this amount is to cover lumber and hardware for upkeep of bridges, gasoline, oils, and repairs for trucks and tractors, groceries, clothing, shoes, rent, medical supplies, etc., for chain gang; salaries and wages for drivers, guards, Superintendent of Chaingang, \$90.00 per month; one guard at \$60.00 per month; three guards at \$55.00 per month, each, three truck drivers at \$50.00 per month.

Concrete Tiling\$ 10,000.00

TOTAL TTEM 3..... \$ 76,000.00

GRAND TOTAL 139,806.50

LESS ESTIMATED REVENUE:

Gasoline Tax	36,000.00
Fines from Clerk of Court	2,000.00
Fines from Magistrate	6,000.00
Fees from Fax Collector	4,000.00
Beer-Wine-Liquor Tax	5,600.00

Delinquent Taxes, portion credit- able to County Ordinary	16,000.00	
Insurance License Fees	5,000.00	
		74,600.00
TOTAL AMOUNT TO BE RAISED BY TAXATION...		\$ 65,206.50

(From this amount is to be deducted the credit of Ordinary Account on hand of July 1, 1937, less any amount which is not received in accordance with the above estimated revenue).

§ 2. The Board of County Directors with the approval of the majority of the members of the Delegation to the General Assembly from Darlington County, is hereby empowered to borrow money for current expenses and road maintenance in anticipation of taxes to be collected, and it shall not pay any claims in excess of the appropriation made for such purpose, unless consent thereto is given by the Senator and a majority of the members of the Delegation to the General Assembly from Darlington County.

§ 4. All county officers shall furnish the Clerk of the County Board of Directors a written request for all supplies and equipment needed.

§ 5. Examinations in lunacy cases shall be made by two physicians, one of them shall be the County Health Officer; *Provided*, That no such examination shall be made except upon authority of the Chairman of the County Board of Directors, and the fee for this examination shall not exceed Five (\$5.00) Dollars, for the examining physician, other than the County Health Officer.

§ 6. The Service Officer for Darlington County is to be appointed by the Governor upon written request of a majority of the Delegation from Darlington County, after receipt of recommendation from the two American Legion Posts in Darlington County, one located at Darlington and one at Hartsville.

§ 7. That compensation shall be allowed for not exceeding the following number of attaches and bailiffs for each term of Court of Darlington County; one child for drawing the jury; one Court Crier; and two baliffs; *Provided*, That pay for as many as two additional bailiffs may be allowed for criminal terms of Court, if appointment

of such additional number is requested by the Sheriff, and approved by the presiding Judge. The names of the Child to draw the jury, the Court Crier, and two bailiffs for Civil Court and two additional ones for Criminal Court, if they be ordered by the presiding Judge, shall immediately upon appointment be furnished the Clerk of Board of County Directors by the Sheriff, and only those whose names shall be so furnished shall be paid out of the county funds and the County shall be liable for none other.

§ 8. The revenue derived from the commutation road tax and gasoline tax shall be used exclusively for maintenance of roads and bridges.

§ 9. All County Officers are hereby required to file monthly, on or before the 5th day of each month, for the preceding month, a certified report of his or her office (on such form or forms prescribed by the County Board of Directors) with the Clerk of the County Board of Directors, on or before the 5th day of each month, and the County Board of Directors shall not make payment of salaries until said reports are duly filed and funds accounted for by the several officers for the preceding month.

§ 10. There shall be telephones in the Court House to be used for official business only, and located in the offices of the County Board of Directors, the Sheriff, the Clerk of Court, the Treasurer, the cost of which shall be paid out of the fund herein appropriated for 'water, light and fuel for Public Buildings'.

§ 11. The Sheriff's Deputies, one at Darlington, one at Hartsville, and one at Lamar, are to be appointed by the Sheriff upon approval of a majority of the County Delegation in the General Assembly from Darlington County and shall be removed at any time by the Sheriff with the approval of the said Delegation. The Deputies at Darlington, Hartsville and Lamar, shall serve all Magistrates' warrants, and they shall be given priority of service except in emergency cases; *Provided*, That the Sheriff shall receive all fees for the service of all papers in civil cases.

§ 12. The amounts hereinbefore appropriated for roads and bridges in item 3 hereof, are for maintenance of the present roads, giving preference to the rural routes and reconditioning bridges of the County. There shall be no expenditures for new roads during the year 1937 without the approval of a majority of the members of the Delegation in the General Assembly from Darlington County. The County Board of Directors is authorized and directed to have all bridges in the County inspected and any and all bridges found

to be unsafe in any manner POSTED, and keep them posted until any existing defects are remedied, *Provided*, That the County Board shall use whenever possible convict labor in the maintenance of the public roads in Darlington County; *Provided*, That whenever the County Supervisor shall deem advisable bridges must be replaced with concrete tile to be bought with the appropriation made therefor in Item 3, in order to minimize the number of wooden bridges and their costly upkeep.

§ 13. It shall be the duty of the Board of Directors of Darlington County on or before the 10th day of each month to file with the Secretary of the Darlington Delegation in the General Assembly a report showing the amounts paid out during the month immediately preceding, in carrying out the intent and appropriations of this Act, to the end that each member of the Delegation may be fully and completely aware of the financial condition and expenditures of the County.

§ 14. The County Auditor and Treasurer shall adhere to the system as prescribed by the Comptroller General in the assessment and collection of property taxes.

§ 15. The County Auditor is hereby directed and authorized to deduct from the Appropriation Bill all amounts which may be received from any other source, and to adjust the mill levy to correspond.

§ 16. All changes in salaries herein provided shall be effective as of July 1, 1937, and the County Board of Directors is hereby authorized to pay salaries accordingly.

§ 17. The various sums herein appropriated shall be used only for the purpose for which they are specifically appropriated, and that appropriations shall be used only for the current year, or part thereof, and for no past due accounts, *Provided*, That transfers from one appropriation to another may be made upon the written approval of the Senator and a majority of the Legislative Delegation. It shall be unlawful for any officer of said County to exceed any appropriation or to contract any obligations or indebtedness in excess of any appropriation herein provided for except upon the written authority of the Senator and a majority of the Legislative Delegation of Darlington County, and obligations incurred without said written authority shall not be binding upon Darlington County.

§ 18. There shall be employed annually, on or about July 1, of each year, by the Delegation to the General Assembly, or a majority of the members, a competent Auditor to audit the books of the Coun-

ty and the work shall be done under the supervision of the Delegation, and at such time as they may elect. The cost of the audit shall be paid out of the Contingent Fund upon an order of a majority of the Legislative Delegation.

§ 19. The Deputy Sheriffs of Darlington County shall be allowed to buy all their gas and oil, used by them on official business, from the County at cost prices, and the amount used by each of them shall be deducted from their pay checks each month.

§ 20. The amounts herein appropriated are to be contingent upon the collections of revenue to pay same. If at any time during 1937 it should appear that there will be a shortage in revenue and that revenue will not be sufficient to pay same, the Legislative Delegation is hereby authorized and directed to reduce all appropriations for salaries or for other purposes herein appropriated.

§ 21. The sum of \$1,650.00 is hereby appropriated from the funds of the Roads, and Bridges Account, to be used for the purchase of a fence to be constructed around the new Darlington County Jail.

§ 22. The County Board of Directors of Darlington County is hereby instructed to appoint a County Dentist for Darlington County, and he shall work under such rules and regulations as promulgated by said County Board.

§ 23. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 24. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(665)

No. 476.

AN ACT to Empower the County Board of Directors of Darlington County to Borrow Not Exceeding Twenty Thousand (\$20,000.00) Dollars with Which to Purchase Road Machinery and Equipment for Use Upon the Roads of Said County.

Section 1. Darlington County borrow buy road machinery and equipment.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Directors of Darlington County is authorized and empowered to borrow Twenty-Thousand (\$20,000.00) Dollars, if so much be necessary, for the purpose

of providing such road machinery and equipment as may be needed in keeping up the roads of said County, and to expend the proceeds of such loan for that purpose.

§ 2. Issue notes—payment.—The said Board is empowered to borrow the aforesaid amount of money on notes of the County executed by the Chairman of the Board and countersigned by the Clerk of the Board. It is made the duty of the Board to obtain the loans on the most advantageous terms to the County and at the lowest rate of interest obtainable not to exceed five (5%) per cent. per annum or semi-annually. The general form and tenor of the obligations shall be determined by the County Board of Directors unless herein otherwise provided. The obligations shall mature in four (4) equal successive annual installments, the first of which shall mature not later than December 1, 1938. Beginning with the calendar year 1938, the Auditor of Darlington County is authorized and directed to levy, and the Treasurer to collect, annually a tax sufficient to meet the principal sums and the interest of the said obligations as they respectively mature, and the full faith, credit and taxing power of Darlington County is pledged to secure the payment of the obligations issued under the provisions hereof. In the event that the County's revenue for any year during the life of such obligations, including the calendar year 1937, shall exceed the expenditures authorized in the annual County Supply Act for any such year, any such surplus, with the written approval of the Legislative Delegation, may be applied to the retirement of any obligation issued under the terms of this Act. In the event that it is desired to retire any obligation which is not due, the County Board of Directors is empowered to call the same for payment and to pay the same after not exceeding thirty (30) days notice to the holder of any such obligation. The proceeds of the said loan shall be deposited with the County Treasurer and shall be disbursed on claims as provided by law for the disbursement of other County claims.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(84)

No. 477.

AN ACT to Validate Loan of Four Thousand, One Hundred Fifty (\$4,150.00) Dollars Made to Darlington County Board of Education by the Sinking Fund Commission of South Carolina and to Fix a Tax Levy to Provide for the Payment Thereof.

Section 1. Loan to Darlington County board of education validated.—Be it enacted by the General Assembly of the State of South Carolina: That a loan of Four Thousand, One Hundred Fifty (\$4,150.00) Dollars made to Darlington County Board of Education, Darlington County, by the Sinking Fund Commission of South Carolina on note executed by the County Treasurer and Members of the County Board of Education, bearing date of August 21, 1936, be, and the same is hereby validated and declared to be legal in all respects as an obligation of the said Darlington County.

§ 2. Payment.—That in order to provide for the payment of the said note there is hereby levied an annual tax upon all of the taxable property of School Districts 1, 7, 15, and 18 of the said Darlington County sufficient to retire the loan plus interest at six per cent (6%) within a period of five (5) years. The entire proceeds of this tax shall be paid over annually to the Sinking Fund Commission by the County Treasurer to be applied on the principal and interest of the note given to secure the loan until the said loan is paid in full, at which time the tax shall no longer be levied. It shall be the duty of the Auditor of Darlington County to levy the said special tax and the duty of the County Treasurer of the said County to collect the tax so levied as other taxes are collected by law.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(517)

No. 478.

AN ACT to Authorize and Empower the Trustees of Society Hill School District No. 13, of Darlington County, South Carolina, to Borrow a Sum of Money Not Exceeding Six Thousand (\$6,000.00) Dollars, for the Purpose of Erecting and Equip-

ping Additional Class Rooms to be Added to the Existing School Buildings for White Pupils in the Said School District, to Provide for the Issuance of Notes Therefor and the Levy and Collection of Taxes for the Payment of Said Loan, with Interest.

Section 1. Society Hill School District No. 13 borrow erect and equip class rooms, Darlington County.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Society Hill School District No. 13, of Darlington County, South Carolina, be, and hereby are, authorized and empowered to borrow a sum of money not exceeding Six Thousand (\$6,000.00) Dollars, to be used for erecting and equipping additional class rooms to be added to the existing school building for white pupils in the said School District.

§ 2. Issue notes—maturities—interest.—The said loan shall be repaid in five (5) equal successive annual installments with interest at a rate not exceeding six per cent. (6%) per annum and shall be evidenced by five (5) notes executed in the name of the said School District by the Chairman of its Board of Trustees.

§ 3. Payment.—In order to provide for the payment of said loan and interest thereon, the County Auditor of said County shall levy annually upon all the taxable property in the said School District a tax sufficient to repay the said loan, with interest thereon, in accordance with the terms of said notes; and the Treasurer of the said County shall collect the taxes so levied and apply the same to the payment of the said loan.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(518)

No. 479.

AN ACT to Validate Loan of Four Hundred (\$400.00) Dollars, Made to Newman Swamp School District No. 4, of Darlington County, by the Peoples Bank of Hartsville, S. C., and to Provide for a Tax Levy for the Payment Thereof.

Section 1. Loan to Newman Swamp School District No. 4 validated, Darlington County.—Be it enacted by the General Assembly of the State of South Carolina: That a loan of Four Hun-

dred (\$400.00) Dollars, made to Newman Swamp School District No. 4, in Darlington County, on note executed by the Trustees of said School District, to The Peoples Bank of Hartsville, for Four Hundred (\$400.00) Dollars, dated March 1, 1937, with interest from, at the rate of six (6%) per cent per annum, to obtain funds for the purpose of repairing the school building, and the same is hereby validated and declared to be legal in all respects as an obligation of the said Newman Swamp School District No. 4, in Darlington County.

§ 2. **Payment.**—That in order to provide for the payment of the indebtedness validated in the foregoing Section and any interest thereon, the Auditor of Darlington County is hereby authorized and required to levy, and the Treasurer of said County to collect, an annual tax on all taxable property within said School District, sufficient to pay the said indebtedness in two (2) equal annual installments of principal, with interest as aforesaid until said debt is paid. The proceeds of such special levy shall be paid over annually to the Sinking Fund Commission by the County Treasurer of Darlington County and shall be by it applied to the payment of said indebtedness and the interest thereon.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(543)

No. 480.

A JOINT RESOLUTION to Refund to Certain Taxpayers in Darlington County Excess Taxes Paid for County Purposes.

Section 1. Tax refunds to Mrs. H. A. Herring and H. S. Parnell by Darlington County.—Be it resolved by the General Assembly of the State of South Carolina: That the Treasurer of Darlington County, be, and he is hereby, authorized and directed to refund to Mrs. H. A. Herring excess taxes paid by her for County purposes during the years 1931-1935 inclusive, in the sum of Sixty-five and 13/100 (\$65.13) Dollars; and to H. S. Parnell excess taxes paid by him for County purposes during the years 1926-1935, inclusive in the sum of Seventy-seven and 53/100 (\$77.53) Dollars. The amount of school taxes included in the above mentioned items and hereinabove authorized to be refunded

shall be charged to the respective school districts which received such collections.

§ 2. All Acts or parts of Acts or Joint Resolutions or parts of Joint Resolutions inconsistent with this Resolution are hereby repealed.

§ 3. This Resolution shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(552)

No. 481.

A JOINT RESOLUTION Directing the Clerk to the County Board of Directors of Darlington County to Issue Vouchers in Payment of Open Accounts and Notes, and Authorizing the County Treasurer of Darlington County to Pay Said Vouchers.

Section 1. Pay past due open accounts and past due notes, Darlington County.—Be it resolved by the General Assembly of the State of South Carolina: The Clerk to the County Board of Directors of Darlington County is hereby authorized and directed to issue vouchers on the County Treasurer for past due open accounts and past due notes, and the County Treasurer of Darlington County is directed, authorized and empowered, upon presentation of the said vouchers, to pay the same out of the general funds belonging to the County of Darlington or from any other available funds that are not earmarked for specific uses and purposes. The Clerk to the County Board of Directors and the Treasurer of Darlington County shall not disburse any funds in accordance with this Resolution in excess of eleven thousand three hundred five and 02/100 (\$11,305.02) dollars. And in making these disbursements they shall be governed by the audit of W. D. Robertson, Special Auditor, under date of April 20, 1937, which audit is now on file with the proper officers of darlington County.

§ 2. This Resolution shall take effect immediately upon its approval by the Governor.

Approved the 13 day of May, 1937.

(388)

No. 482.

AN ACT to Ratify and Confirm the Election Held in and by Hartsville School District No. 32, of Darlington County, on June 1, 1936, on the Question of the Issuance of Bonds of Said School District in an Amount Not Exceeding Sixty Thousand (\$60,000.00) Dollars, for the Purpose of Erecting Buildings, and Equipment for Maintaining Public Schools in Said Districts; and to Validate and Confirm in Every Respect All Proceedings Had in Connection with the Issuance and Sale of the Said Bonds, and to Validate Said Bonds.

Section 1. Bond election validated, Hartsville School District No. 32, Darlington County.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby confirmed, approved and in every respect validated, the election held by Hartsville School District No. 32, on June 1, 1936, upon the question of issuing bonds of said school district in an amount not exceeding sixty thousand (\$60,000.00) dollars, for the purpose of erecting buildings, and for the equipment and maintaining of public schools in said district.

§ 2. Acts confirmed—bonds legal obligations.—It is hereby declared that all necessary legal steps were taken in calling and holding said election and in declaring the results thereof; that all acts required have been fully complied with; and all proceedings had in regard to the issuance and sale of the said bonds are hereby declared to be legal and in every respect binding, and that the said bonds are declared just and legal obligation of Hartsville School District No. 32.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 16th day of April, 1937.

(450)

No. 483.

AN ACT to Provide for the Levy of Taxes for County and School Purposes for the County of Dillon for the Fiscal Year Beginning January 1, 1937, and for the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of ten (10) mills, if so much be

necessary, is hereby levied upon all the taxable property in the County of Dillon for County purposes for the fiscal year, beginning January 1, 1937, for the amounts and for the purposes hereinafter stated, that is to say:

Roads and Bridges	\$ 21,000.00
Culverts, etc	4,500.00
Clerk of Court	1,000.00
Sheriff's salary	2,400.00
Expense for Sheriff	600.00
One Deputy Sheriff (Or Rural Policeman)	\$ 1,800.00
Travel Expense	400.00
Total	2,200.00
Jailor, to act also as Deputy.....	1,080.00
Treasurer	1,000.00
Clerk to Treasurer	300.00
Auditor	1,500.00
Clerk to Auditor	300.00
Medical Fees for Services to Prisoners	200.00
Coroner	300.00
Supervisor	2,200.00
Gas and Oil for Supervisor	300.00
Chairman: County Board of Com- missioners	500.00
Five (5) County Commissioners @ \$200.00 each	1,000.00
Clerk County Board of Commis- sioners	720.00
Magistrate at Dillon	900.00
Magistrate at Latta	600.00
Magistrate at Lakeview	200.00
Constable for Lakeview and Fork.	200.00
Magistrate at Hamer	150.00
Magistrate at Kirby	150.00
Constable at Kirby	150.00
Magistrate at Little Rock	150.00
Magistrate at Fork	120.00
Board of Equalization	200.00

For placing Escaped taxes on books	400.00
Necessary Jail Expenses & Dieting Prisoners at 35¢ per day.	2,000.00
No part of this item to be used for any salary.	
Jurors and Witnesses, including Jurors for inquests at 50¢ each.	2,000.00
Post Mortems, Inquests and Lunacy	300.00
Public Buildings	2,200.00
Printing and Postage	2,000.00
Miscellaneous Contingent Fund.	1,100.00
Vital Statistics	250.00
Recording	250.00
County Board of Health	1,700.00
Office Expense of Board	100.00
Provided, This Work is continued by the State.	
National Guard, if so much be needed	750.00
Interest on Loans from State Sinking Funds	5,000.00
Judge of Probate	250.00
Office help for Judge of Probate.	300.00
American Legion for Service Officer	2,100.00
Superintendent of Education ...	2,000.00
<i>Provided</i> , That if provision be made by the State for the payment of all or any portion of this salary, the amount hereby appropriated is reduced by the amount so appropriated by the State.	
Travel Expense of County superintendent of Education ...	400.00
Clerk, County Superintendent of Education	600.00
Chairman County Board of Education	150.00

Two members County Board of Education @ 120.00 each.....	240.00	
Audit of County Records by a Public Accountant	300.00	
Assistant Delinquent Tax Collector	1,000.00	
Clerical Help in Tax Collector's Office	600.00	
Traveling Expenses and extra help for Game Warden	400.00	
S. C. Forestry Commission for Fire Tower	400.00	
For the indigent poor, burial of paupers, etc. on approval of County Commissioners, not exceeding	2,500.00	
Farm and Health Unit Rents...	600.00	
Relief Building rent for 1937....	600.00	
Janitor of Court House, with assistance of prisoners, if necessary	300.00	
Grand Total		\$ 74,710.00
Less estimated income other than taxes:		
Commutation Road Tax	6,000.00	
Fines and Licenses, Clerk of Court.....	1,000.00	
Fines and Costs - Magistrates	4,000.00	
Insurance License Fees	2,000.00	
One (1¢) cent Gasoline Tax	22,000.00	
Revenue from Liquor Licenses	5,000.00	
Total		\$ 40,000.00
Amount to be raised by taxation.		\$ 34,710.00

"The County Treasurer of Dillon County, and other officers of the County who may handle County funds, are hereby authorized and empowered to deposit funds of the county or subdivisions thereof, both current or sinking funds, in any bank or banks, but before making such deposits, shall require from such bank or banks a surety bond in the amount of such deposit in some surety company authorized to do business in the State, or shall require the bond of such bank or banks equal to or in excess of funds deposited, secured by bonds of the United States Government, or State, County, or any political subdivision thereof, or notes given to said bank or banks in an amount not in excess of the price for cotton as fixed by the Government, secured by cotton warehouse receipts for cotton stored in such warehouse or warehouses, or notes secured by mortgages of real estate of the Dillon Federal Savings and Loan Association sufficiently margined, and approved by the Chairman of the Board of County Commissioners, County Auditor, and County Treasurer, in writing, and filed with the Clerk of Court and kept by the Clerk of Court for public inspection, to indemnify the County against loss on account of such deposits; and subject to such approval, the security now held by the County Treasurer, consisting of notes secured by cotton warehouse receipts, is hereby declared to be legal and authorized, and to that extent this Act is made retroactive; *Provided, However,* That the County Treasurer is hereby authorized in his discretion to use any sinking fund money on hand to buy any of the bonds of the County or any school district thereof, but he shall retire no such bonds unless the same are purchased with sinking fund monies legally applicable to the retirement thereof. The said county officers are required to secure the best terms possible on all daily deposits on all County funds, except sinking funds; no county funds shall be spent for bringing fugitives from Dillon County back into the State, except the amount necessary therefor be first approved in writing by the Board of County Commissioners.

§ 2. The Commutation tax for the year 1937 shall be two (\$2.00) dollars.

§ 3. The item of eighteen hundred (\$1,800.00) dollars for the County Health Board shall be placed to a separate account and paid out on proper vouchers signed by Mrs. A. J. Evans, and the President of the Federation of Dillon County Clubs, and Mrs. C. E. Major, of Latta, S. C., which three (3) shall constitute the Board of Health for the County and which Board of Health shall make annual reports of its work to the County Delegation by January 1st in

each year, and which shall have local supervision of the Health Board: *Provided, Further,* That nothing contained herein is to be construed as interfering with or hindering the supervision or control now exercised by the authorized agents of the State Board of Health. *Provided,* This work is continued by the State.

§ 4. The County Auditor is hereby authorized and empowered to raise or lower the levy herein provided as may be necessary to meet the appropriations herein made after taking into consideration the other revenues accruing or to accrue to the County.

§ 5. The County Auditor is authorized and empowered to levy for school purposes for the year beginning July 1, 1937, and ending June 30, 1938, a tax of eight (8) mills on all the taxable property of Dillon County to pay the salaries of elementary and high school teachers and for the further maintenance and support of high schools, and to pay for past due insurance premiums to the State Sinking Fund Commission for insurance on public school buildings in Dillon County. *Provided, Further,* That there shall be levied for incidentals and the ninth month three (3) mills in Districts 2 and 4; four and one-half ($4\frac{1}{2}$) mills in District 8 and three (3) mills in Districts 12 and 20, four (4) mills in District 14; one (1) mill in Districts 11, 13, 17, 22, 26 and 28; one (1) mill in Districts Nos. 7, 23 and 27. Said levies provide for nine months in high schools and eight months in elementary schools; *Provided,* That the amounts above provided by levies for school purposes shall be paid out by the County Treasurer on vouchers approved by the County Superintendent of Education, signed by a majority of the Board of Trustees of the respective school districts, and approved by a majority of the County Board of Education: *Provided, Further,* That such supplies as gas, oil and trucks be purchased by competitive sealed bids by the County Board of Education, and that the County Board of Education shall maintain strict supervision and close check of all supplies for school purposes and see that all trucks are kept in proper condition and protected from abuses. Above levies are in lieu of all other levies for County, school and transportation purposes, except State levies or bond levies, and the Auditor has no authority to exceed the levies herein mentioned for school transportation purpose, without the written consent of the County Delegation: *Provided,* That the levies authorized in this Section shall be reduced if, and when, made possible by any school funds coming to the County of Dillon, and its several school districts, from any laws hereinafter passed during this session of the General Assembly and supplementing the school funds

for Dillon County. From the levy for Dillon High School District No. 2 there shall be paid past due indebtedness made up of small bills aggregating three hundred, sixty-six and 42/100 (\$366.42) Dollars, \$378.25 due Southeastern Construction Company of Charlotte, N. C., and \$250.00 to J. F. Thompson, Chairman of Board for expenses paid by him in supervising erection of new school building, and the sum of nine hundred, ninety-four and 67/100 (\$994.67) dollars, being the total of the items just above referred to, is hereby appropriated of the funds of said school District No. 2 and, if necessary, the County Auditor is authorized to levy, and the Treasurer to collect, a tax on the property in such District to meet the payment of these items. The necessity for such levy, as well as the amount thereof, shall be determined by the County Board of Education and the Auditor.

§ 6. That no real or personal property including bonds, notes, mortgages, securities or other evidences of indebtedness now owned or which may hereafter be owned or held by the said County of Dillon as collateral, pledge, hypothecation or otherwise, shall be sold, exchanged or otherwise disposed of by pledge, hypothecation, exchange in any way, without the written approval of a majority of the following officers of the said County of Dillon; the Chairman of the County Board of Commissioners, the Auditor and the Treasurer; *Provided*, That all real property now owned, or which may hereafter be acquired by the said County of Dillon on account of sinking fund, foreclosure of mortgages, assignments of collateral, purchase, exchange, or otherwise, shall be held, leased, and rented by the County Treasurer to the very best advantage, after the payment of expenses, incident or necessary thereto, the remainder shall be placed by him to the Sinking fund account of said County, or the County account as the interest of each may appear; *Provided, Further*, That the vote cast by each or any of the above named officers, in writing, for the approval or disapproval for disposition of any real estate or personal property, or securities of any nature referred to in this Act shall be recorded in the office of the Clerk of Court for reference, for inspection by anyone, at all times. *Provided*, That the fee may be charged by the Clerk of Court for Dillon County, for the recording, filing, indexing and/or registering any mortgage or other instrument conveying an interest in or creating a lien on crops growing or to be grown in and/or personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a

Federal Intermediate Credit Bank or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation of the Government of the United States or any department, agency, instrumentality or office thereof, shall be fifty (50¢) cents; *Provided*, That a copy or duplicate of such instrument be furnished to the recording officer. That Dillon County is specifically excepted from the provisions of Section 3636 and Section 3637, Volume 2, Code of Laws of South Carolina, 1932; *Provided, Further*, That, in addition to the fee hereinafter fixed for recording chattel mortgages, the Clerk of Court may charge an additional fee of twenty-five (25¢) cents where he is required to search the records before recording any such mortgage.

§ 6-A. The sum of two hundred, four and 48/100 (\$204.48) dollars paid in connection with fees for litigation concerning tax penalty due by S. A. L. Railway Company, is validated to be charged to the County Contingent Fund.

§ 7. The amounts appropriated herein under the several items and for the several purposes as indicated are the maximum amounts appropriated for such purposes, and it shall be unlawful for any County Board to make any contract, or contracts, for the expenditures of any monies, or the County Treasurer to pay any sum in excess of the amount appropriated under such item, unless otherwise provided for by law, or without the consent, in writing, of a majority of the Legislative Delegation from Dillon County.

§ 8. That there shall be levied a tax of one mill on all the property in Union School District for the purpose of paying outstanding indebtedness due by said District for school equipment.

§ 9. There shall be levied a tax of one-half ($\frac{1}{2}$) mill on all property in the County of Dillon, the proceeds of which shall be expended for the conduct and maintenance of the Public Library at Latta, S. C.

§ 10. In addition to the amounts provided by Section 11 of the Dillon County Supply Bill of 1936, which is a continuing appropriation as therein stated, there is to be expended the following sums to be paid from the annual two (2) mill levy therein provided, viz.: Additional amount for completing basement floor of County Court House for office purposes . . . \$1,000.00 making a total for such purpose of \$4,400.00. This improvement is to be done by a committee composed of D. S. Allan, who shall act as Chairman, John R. Watson and C. L. Moody, and the funds provided therefor shall be ex-

pended by them and paid out by the Treasurer on warrants therefor, approved by this committee. There is also appropriated the sum of four thousand, one hundred, seventy-six and 18/100 (\$4,176.18) dollars, for the purpose of meeting the 1936 Works Progress Administration expenditures. For the purpose of meeting the agreed upon amount of expenditures for 1937, under the Works Progress Administration, the sum of eighteen hundred (\$1,800.00) dollars is hereby appropriated.

The County Board of Commissioners are directed to set up the above items in a separate account and to expend not in excess of the respective amounts appropriated for each item. The Board is forbidden to transfer any saving in any one item so as to increase the appropriated amount for any other item.

§ 11. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 12. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(622)

No. 484.

AN ACT to Provide for the Acquisition by Dillon County of a Site in the Town of Dillon for the Erection of a Building for Public Purposes.

Section 1. Dillon County purchase lot in town of Dillon.—Be it enacted by the General Assembly of the State of South Carolina: That the County Treasurer of Dillon County be, and he is hereby, authorized and empowered to purchase in the name of Dillon County, a lot situate in the town of Dillon, County of Dillon, State of South Carolina, on the corner of 3rd Avenue and Washington Street, measuring 100 feet by 150 feet (100 ft. x 150 ft.) more or less, the purchase price to be not in excess of Seven Hundred and Fifty (\$750.00) Dollars. In order to provide the funds with which to pay the purchase price of the said lot the County Treasurer is authorized and directed to use so much of the sinking funds of the County as is necessary, not to exceed the sum of Seven Hundred, Fifty (\$750.00) Dollars.

§ 2. **Acts validated.**—Any and all acts done by the County Treasurer of Dillon County, or any other officer thereof acting in behalf of the County, with respect to the acquisition of the said property

for the County, including the actual acceptance in behalf of the County of a deed therefor and the payment of the purchase price thereof be, and the same are hereby, ratified and confirmed and declared to be valid and effectual.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 15th day of May, 1937.

(632)

No. 485.

AN ACT to Authorize the Expenditure of Not in Excess of One Thousand (\$1,000.00) Dollars by the County Commissioners of Dillon County in the Erection of a Building by the American Legion Post of Dillon County.

Section 1. Appropriation for American Legion Post of Dillon County use erect building, Dillon County.—Be it enacted by the General Assembly of the State of South Carolina: That the County Commissioners of Dillon County are hereby authorized and directed to pay over to the American Legion Post of Dillon County, or to some party duly authorized to receive the same by the said Post, not exceeding One Thousand (\$1,000.00) Dollars for the purpose of supplementing such funds as may have been obtained by the said Post from other sources for the erection of a building or hut to be used by the members of the said Post. Said sums may be paid in one sum or in such amounts as the County Commissioners may determine. It shall be their duty to see that the funds are disbursed, as the building progresses, but they are not charged with the expenditure thereof, it being the purpose of this Act to provide not exceeding One Thousand (\$1,000.00) Dollars to assist the American Legion in the erection and construction of a building to be used by it.

The funds hereby appropriated and authorized to be expended shall be taken from the ordinary county funds.

Provided, Further, this appropriation shall be deemed included in the Dillon County Supply Act for the year 1937, and is in addition to the appropriations therein made, and the County Auditor is authorized to levy and the Treasurer to collect, a tax sufficient in the judgment of the Auditor, to provide funds to meet this additional item.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of May, 1937.

(585)

No. 486.

AN ACT to Authorize and Direct the County Superintendent of Education for Dillon County to Advance to Floydale School District No. of Dillon County the Sum of Eighty (\$80.00) Dollars From the General Fund of the County Board of Education.

Section 1. Superintendent of education advance \$80.00 to **Floydale School District, Dillon County.**—Be it enacted by the General Assembly of the State of South Carolina: That the County Superintendent of Education for Dillon County is hereby authorized and directed to advance to Floydale School District No., Dillon County, the sum of Eighty (\$80.00) Dollars from the general fund of the County Board of Education for said County; the same to be repaid out of the incidental funds of Floydale School District No., as such funds become available.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 14th day of May, 1937.

(11)

No. 487.

AN ACT to Provide for the Levy of Taxes for Dorchester County for County and School Purposes for the Period Beginning January 1, 1937, and Ending June 30, 1937, and to Direct the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the following sums of money, if so much be necessary, be and the same are hereby appropriated for the purposes herein set forth for the county of Dorchester for the period beginning January 1, 1937, and ending June 30, 1937, inclusive, and the Auditor of Dorchester County is hereby authorized to levy and

the Treasurer to collect upon all of the taxable property in said County, a tax sufficient to defray the same, after deducting all other available income and revenue.

Item 1. Roads and Bridges

Convicts and Maintenance of Road Working
Organization and for road equipment.....\$ 4,750.00

Provided, That the revenue accruing to the County from the State, and known as the gasoline tax shall be used to supplement this appropriation.

Provided, Further, That the commutation tax for current year and any delinquent commutation tax shall also be used to supplement this appropriation.

Item 2. Salaries:

Clerk of Court	\$ 431.25
Sheriff	1,351.25
Deputy Sheriff and Jailor	287.50
Clerk hire to Treasurer	86.25
County Treasurer	395.81
Clerk hire to Auditor	86.25
County Auditor	395.81
Superintendent of Education	805.00
Legal advice	200.00
Coroner	187.50
Janitor—Court House	150.00
Chairman County Board of Directors	1,207.50
Four (4) County Directors	240.00
Clerk of County Board of Directors	450.00
Judge of Probate and Master	295.41
Magistrates & Constables:	
St. George Magistrate	250.00
St. George Constable	270.00
Summerville Magistrate	250.00
Summerville Constable	270.00
Ridgeville Magistrate	\$ 100.62
Ridgeville Constable	100.62
Harleyville Magistrate	100.62
Harleyville Constable	100.62
Reevesville Magistrate	100.62

Item 3. County Boards:

A. Board of Education	75.00
B. Board of Registration	72.00
C. Board of Assessors	125.00
D. Board of Health	300.00

(Above to be expended, if so much be necessary, by the County Board Of Health for Office Equipment, Office Supplies, Biologicals, Office Rent, Heat, Light, Water, and for such other purposes as may appear necessary, upon vouchers drawn by the County Health Director and approved by the County Board of Health)

(1) County Health Nurse	600.00
(2) Transportation of County Nurse (using her own car)	225.00

Provided, The appropriation above for County Health Nurse and her expenses shall be expended in the same manner as the above appropriation for the Board of Health. Also, that the Nurse provided for above shall be chosen by the County Health Director with the approval of the County Board of Health and the Legislative Delegation.

Item 4. Jail expenses, including dieting of prisoners @ 50¢ per day	750.00
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Item 5. Jurors and Witnesses	1,200.00
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Item 6. Charities:

A. Summerville Infirmary	\$ 1,200.00
B. A. B. Lee Hospital	500.00
C. Public Welfare Funds	300.00

(To be paid out on vouchers signed by either of the two above hospitals and approved by the County Board of Directors, on a basis of \$200.00 to the Summerville Infirmary, and \$100.00 to the A. B. Lee Hospital, the same to be for charity cases, and only to pay for necessary medicines, food, X-ray pictures or medical appliances.)

Item 7. Post Mortems and Lunacy	200.00
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Item 8. Charges for Water, Fuel, Light and Insurance for Court House and Jail, the County Build- ings	200.00
Item 9. Printing, Postage and Stationery	450.00
(This amount shall be expended by the Coun- ty Board of Directors to pay for printing, postage and stationery for all County officials)	
Item 10. Miscellaneous:	
A. Bonds Premiums for County Officials	375.00
B. For publication of monthly reports of County Board of Directors	120.00
C. For three (3) telephones, one (1) in the Sheriff's Office, one (1) in the Jail, and one (1) in the Clerk of Court's Office, including long distance messages in official capacity only.)	162.50
D. For medical attention to prisoners in jail and on chaingang	100.00
E. For Court House improvements and equipment, if so much be necessary	50.00
F. For Jail improvements and equipment, if so much be necessary	\$ 37.50
G. For improvements to Summerville jail, a portion of which is used by the County of Dorchester	150.00
H. Vital Statistics	125.00
I. Office Rent for County Agent	60.00
J. Office Rent Rural Rehabilitation	60.00
K. To County Agent for 4-H Club work	37.50
L. Adding Machine for Superintendent of Educa- tion's Office	207.00
M. Typewriter for Superintendent of Education's Office	65.00
N. Jones Chevrolet Company for the purchase price of one Chevrolet truck	971.20
O. For gas and oil and other incidental expenses in operating County Chevrolet truck used in construction of WPA projects.....	180.00
Item 11. Rural Police:	
A. Three (3) Rural Police @ \$135.00 each per month	2,430.00

B. Rural Police at Givhans	150.00
C. Part payment on salary of Clerk in Sheriff's Office	240.00
D. Law Enforcement, Sheriff's Office	250.00
E. Rural Police Reevesville	150.00
Item 12. Contingent Fund	1,000.00
(The above amount is hereby appropriated to meet any unforeseen contingencies, which may arise during the year in the operation of the County Government. The same shall be expended upon the written authorization of the Legislative Delegation for Dorchester County, directed to the Chairman of the Board of Directors and the Treasurer of the said County)	
Estimated Revenue, Commutation Road Tax..\$	1,500.00
Fines & Licenses, including Magistrates	1,500.00

Item 13. Bonded Indebtedness:

- (1) The necessary amount is hereby appropriated to meet the payments of principal and interest maturing on or before June 30, 1937, on the original issue of \$320,000.00 six per cent (6%) Highway Bonds, on which issue there is now due only \$166,000.00, and the original issue of \$50,000.00 six per cent Highway Bonds, on which there is now due only \$23,000.00, also the necessary payments on the \$250,000.00 bond issue of the year 1935.
- (2) The County Treasurer and Chairman of the County Board of Directors are hereby empowered to borrow during the period from January 1, 1937 to June 30, 1937, to the extent of the tax levy, and any other income or revenue of the said County, if so much be necessary, upon their joint note or notes, and are empowered to pledge as security for such money borrowed and interest thereon, the taxes of the year 1937, together with any other income or revenue of said County for the year 1937.

- (3) That the County Auditor and County Treasurer are hereby required and authorized to collect one and 50/100 (\$1.50) dollars per head from all persons liable for road work as commutation tax.
- (4) All drafts and warrants issued by the County Board of Directors, upon the County Treasurer for the year 1936, the payment of which was authorized by the Dorchester County Delegation to the General Assembly, are hereby approved and confirmed.
- (5) It shall be unlawful for any officer or employee of the said County of Dorchester to contract for any material or supplies to be purchased for the said County, and to be paid for out of appropriations in this Act, except upon the written order of the Chairman of the County Board of Directors, approved by the Board of Directors. Any contracts entered into, except as provided in this Section, are hereby declared void and of no effect upon the County of Dorchester.

§ 2. The Chairman of the County Board of Directors and the Treasurer of Dorchester County are hereby authorized and empowered to pledge as security for the repayment of any sum or sums borrowed under the authorization contained in this Supply Act for the period beginning January 1, 1937 and ending June 30, 1937 for operating expenses of the County for such period any part or all of bonds or other securities held and owned by the County. The security herein authorized to be pledged is in addition to the tax levy pledged and/or authorized to be pledged in this Supply Act.

§ 3. All Acrs or parts of Acts inconsistent herewith are hereby repealed to the extent of such inconsistency only.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of January, 1937.

(328)

No. 488.

AN ACT to Amend Section 1 of Act No. 11 of the Acts of South Carolina, 1937, Approved the 29th. day of January, 1937, Entitled "An Act to Provide for the Levy of Taxes for Dorchester County for County and School Purposes for the Period Beginning January 1, 1937, and Ending June 30, 1937, and to Direct the Expenditure Thereof", So as to Increase the Appropriation for County Directors and Provide for the Purchase of a Site and Construction and Operation of a County Marketing Warehouse for Dorchester County.

Section 1. Act 487, 1937 Acts, amended—appropriations for county directors and county marketing warehouse, Dorchester County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 1 of Act No. 11 of the Acts of South Carolina, 1937, approved the 29th. day of January, 1937, entitled "An Act to Provide for the Levy of Taxes for Dorchester County for County and School Purposes for the Period Beginning January 1, 1937, and ending June 30, 1937, and to Direct the Expenditure Thereof", be and the same is hereby amended by striking out the figures "240.00" under the heading "Four (4) County Director" under Item 2 and inserting in lieu thereof the figures "960.00"; and by adding at the end of Item 10 of said Section, the following:

P. For the purchase of land and the construction
of a county marketing warehouse, for Dor-
chester County, if so much be necessary . . . \$ 1,500.00

Said warehouse shall be located upon a site to be
selected by the Legislative Delegation of Dor-
chester County, and said warehouse shall be
operated and managed under the direction and
supervision of said Delegation.

§ 2. All Acts are parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(603)

No. 489.

AN ACT to Provide for the Levy of Taxes for Dorchester County for County and School Purposes for the Fiscal Year Beginning July 1, 1937, and Ending June 30, 1938, and to Direct the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the following sums of money, if so much be necessary, be, and the same are, hereby appropriated for the purposes herein set forth for the County of Dorchester for the fiscal year beginning July 1, 1937, and ending June 30, 1938, inclusive, and the Auditor of Dorchester County is hereby authorized to levy and the Treasurer to collect upon all of the taxable property in said County, a tax sufficient to defray the same, after deducting all other available income and revenue.

Item 1. Roads and Bridges:

Convicts and Maintenance of Road Working
Organization and for road equipment\$ 9,500.00

Provided, That the revenue accruing to the County from the State, and known as the gasoline tax shall be used to supplement this appropriation.

Provided, Further, That the commutation tax for current year and any delinquent commutation tax shall also be used to supplement this appropriation.

Item 2. Salaries:

Clerk of Court	\$ 862.50
Sheriff	2,702.50
Deputy Sheriff and Jailor	575.00
Clerk hire to Treasurer	172.50
County Treasurer	791.62
Clerk hire to Auditor	172.50
County Auditor	791.62
Superintendent of Education	1,610.00
Legal advice	400.00
Coroner	375.00
Janitor-Court House	300.00
Chairman County Board of Directors.....	2,415.00
Four (4) County Directors, \$480.00 each.....	1,920.00

Clerk of County Board of Directors.....	900.00
Judge of Probate and Master.....	590.82
Magistrate and Constables:	
St. George Magistrate	540.00
St. George Constable	540.00
Summerville Magistrate	540.00
Summerville Constable	540.00
Ridgeville Magistrate	201.24
Ridgeville Constable	201.24
Harleyville Magistrate	201.24
Harleyville Constable	201.24
Reevesville Magistrate	201.24

Item 3. County Boards:

A. Board of Education	150.00
B. Board of Registration	144.00
C. Board of Assessors	250.00
D. Board of Health	600.00

(Above to be expended, if so much be necessary, by the County Board of Health for Office Equipment, Office Supplies, Biologicals, Office Rent, Heat, Light, Water, and for such other purposes as may appear necessary, upon vouchers drawn by the County Health Director and approved by the County Board of Health.)

(1) County Health Nurse	1,200.00
(2) Transportation of County Nurse (using her own car)	450.00

Provided, The appropriation above for County Health Nurse and her expenses shall be expended in the same manner as the above appropriation for the Board of Health. Also, that the nurse provided for above shall be chosen by the County Health Director with the approval of the County Board of Health and the Legislative Delegation.

Item 4. Jail expenses, including dieting of prisoners @ 50c per day	1,500.00
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Item 5. Jurors and Witnesses	2,400.00
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Item 6. Charities:

A. Summerville Infirmary	2,400.00
B. A. B. Lee Hospital	\$ 1,000.00
C. Public Welfare Funds	600.00

(To be paid out on vouchers signed by either of the two above hospitals and approved by the County Board of Directors, on a basis of \$200.00 to the Summerville Infirmary, and \$100.00 to the A. B. Lee Hospital, the same to be for charity cases, and only to pay for necessary medicines, food, X-ray pictures or medical applicanes.)

Item 7. Post Mortems and Lunacy 400.00

Item 8. Charges for Water, Fuel, Lights and Insurance for Court House and Jail, the County Buildings 400.00

Item 9. Printing, Postage and Stationery..... 900.00

(This amount shall be expended by the County Board of Directors to pay for printing, postage and stationery for all County Officials)

Item 10. Miscellaneous:

A. Bonds Premiums for County Officials	750.00
B. For publication of Monthly reports of County Board of Directors	240.00
C. For three (3) telephones, one (1) in the Sheriff's office, one (1) in the Jail, and one (1) in the Clerk of Court's Office, including long distance messages in official capacity only.)	325.00
D. For medical attention to prisoners in jail and on chain gang	200.00
E. For Court House improvements and equipment, if so much be necessary	100.00
F. For Jail improvements and equipment if so much be necessary	\$ 75.00
G. Vital Statistics	250.00
H. Office Rent for County Agent.....	120.00
I. Office Rent Rural Rehabilitation	120.00
J. To County Agent for 4-H Club work.....	75.00

K.	For gas and oil and other incidental expenses in operating County Chevrolet truck used in construction of WPA projects	260.00
L.	Palmetto Farm Supply Co. Balance payment on tractor	2,000.00
M.	County Board of Education Fund.....	4,000.00
	This fund to be expended by the County Board of Education for High School Tuition and any emergencies which may arise.	
N.	County Welfare Fund	1,500.00
	This fund shall be expended upon the written authorization of the Legislative Delegation of Dorchester County, directed to the Chairman of the Board of Directors and the Treasurer of said County.	
Item 11. Rural Police:		
A.	Three (3) Rural Police @ \$135.00 each per month	4,860.00
B.	Rural Police at Givhans	300.00
C.	Part payment on salary of Clerk in Sheriff's Office	480.00
D.	Law Enforcement, Sheriff's Office	500.00
E.	Rural Police Reevesville	300.00
Item 12.	Contingent Fund	2,000.00
	(The above amount is hereby appropriated to meet any unforeseen contingencies, which may arise during the year in the operation of the County Government. The same shall be expended upon the written authorization of the Legislative Delegation for Dorchester County, directed to the Chairman of the Board of Directors and the Treasurer of the said County.)	
	Estimated Revenue, Commutation Road Tax..\$	3,000.00
	Fines & Licenses, including Magistrates.....	3,000.00
Item 13. Bonded Indebtedness:		
(1)	The necessary amount is hereby appropriated to meet the payment of principal and interest maturing during the fiscal year beginning July 1, 1937, and ending June 30, 1938, on the original issue of \$320,000.00 six per cent (6%)	

Highway Bonds, on which there is now due only approximately \$155,000.00 and the original issue of \$50,000.00 six per cent (6%) Highway Bonds on which there is now due only \$20,000.00, and also the necessary payments on the \$250,000.00 bond issue of the year 1935.

- (2) The County Treasurer and Chairman of the County Board of Directors are hereby empowered to borrow during the fiscal year beginning July 1, 1937, and ending June 30, 1938, to the extent of the tax levy, and any other income or revenue of the said County, if so much be necessary, upon their joint note or notes, and are empowered to pledge as security for such money borrowed and interest thereon, the taxes of the year 1937, together with any other income or revenue of said county for the year 1937.
- (3) That the County Auditor and County Treasurer are hereby required and authorized to collect three (\$3.00) dollars per head from all persons liable for road work as commutation tax.
- (4) All drafts and warrants issued by the County Board of Directors, upon the County Treasurer for the period beginning January 1, 1937, and ending June 30, 1937, the payment of which was authorized by the Dorchester County Delegation to the General Assembly, are hereby approved and confirmed.
- (5) It shall be unlawful for any officer or employee of the said County of Dorchester to contract for any material or supplies to be purchased for the said County, and to be paid for out of appropriations in this Act, except upon the written order of the Chairman of the County Board of Directors, approved by the Board of Directors. Any contracts entered into, except as provided in this Section, are hereby declared void and of no effect upon the County of Dorchester.

§ 2. The Chairman of the County Board of Directors and the Treasurer of Dorchester County are hereby authorized and empowered to pledge as security for the repayment of any sum or sums borrowed under the authorization contained in this Supply Bill for the fiscal year beginning July 1, 1937, and ending June 30, 1938, for operating expenses of the County for such period any part or all of bonds or other securities held and owned by the County. The security herein authorized to be pledged is in addition to the tax levy pledged and/or authorized to be pledged in this Supply Bill.

§ 3. All Acts are parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(272)

No. 490.

AN ACT to Authorize and Empower the Chairman of the County Board of Education of Dorchester County and the Board of Trustees of Knightsville School District No. 14, Dorchester County, to Borrow Twelve Hundred (\$1,200.00) Dollars and to Provide for the Levy of a Tax to Retire the Said Loan.

Section 1. Knightsville School District No. 14, Dorchester County, borrow.—Be it enacted by the General Assembly of the State of South Carolina: That the Chairman of the County Board of Education and the Board of Trustees of Knightsville School District No. 14 of Dorchester County are hereby authorized and empowered to borrow the sum of Twelve Hundred (\$1,200.00) Dollars for the District. The amount so borrowed shall be evidenced by note or notes to be executed by each member of the Board of Trustees of the said School District and the Chairman of the County Board of Education of Dorchester County and to bear interest at not exceeding six (6%) per cent per annum and shall be payable within a period of five years from the date of the note.

§ 2. **Payment.**—That in order to provide for the payment of the said loan and interest thereon there is hereby levied a special tax levy of two (2) mills upon all of the taxable property of the said Knightsville School District No. 14, Dorchester County, sufficient to retire the loan plus interest within a period of five years. The entire proceeds of this special two (2) mill special tax levy shall be applied on the principal and interest of the note given to secure the loan

until the said loan with interest is paid in full, at which time the tax shall no longer be levied. It shall be the duty of the Auditor of Dorchester County to levy the said special tax and the duty of the County Treasurer of the said County to collect the tax so levied as other taxes are now collected by law.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 9th day of April, 1937.

(271)

No. 491.

AN ACT to Abolish Sand Ridge School District No. 23 in Dorchester County and to Place the Territory Embraced Therein in Other School Districts in Said County.

Section 1. Sand Ridge School District No. 23, Dorchester County, abolished.—Be it enacted by the General Assembly of the State of South Carolina: That Sand Ridge School District No. 23 in Dorchester County, South Carolina, be, and the same is hereby abolished and the territory embraced therein is made a part of other school districts as herein provided.

§ 2. **Territory embraced therein placed in Zion and Pregnall School Districts.**—That that portion of Sand Ridge School District No. 23, described as follows, to wit:

Beginning at a point on the Edisto River where the Southeastern corner of the lands of the estate of the late M. G. Rumph intersects with the said Edisto River, and running thence a straight line in a northerly direction to lands of estate of A. D. Proctor; thence running in a easterly direction a straight line to the lands of R. S. Hilton; thence running in a northerly direction a straight line to Polley Branch; thence running in an easterly direction a straight line to the present line of Zion School District; thence running in a southerly direction along the line of Zion School District to Edisto River; thence running along the Edisto River in a Westerly direction to the beginning point.

be, and the same is hereby made a part of Zion School District No. ——— of said County.

That the remaining territory heretofore embraced in said Sand Ridge School District No. 23 be, and the same is hereby made a part of Pregnall School District No. of said County.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 9th day of April, 1937.

(270)

No. 492.

AN ACT to Authorize and Empower the Chairman of the County Board of Education of Dorchester County and the Board of Trustees of Ridgeville School District No. 12, Dorchester County, to Borrow Two Thousand (\$2,000.00) Dollars and to Provide for the Levy of a Tax to Retire the Said Loan.

Section 1. Ridgeville School District No. 12 borrow, Dorchester County.—Be it enacted by the General Assembly of the State of South Carolina: That the Chairman of the County Board of Education and the Board of Trustees of Ridgeville School District No. 12 of Dorchester County are hereby authorized and empowered to borrow the sum of two thousand (\$2,000.00 dollars for the district. The amount so borrowed shall be evidenced by note or notes to be executed by each member of the Board of Trustees of the said School District and the Chairman of the County Board of Education of Dorchester County and to bear interest at not exceeding six (6%) per cent per annum and shall be payable within a period of five years from the date of the note.

§ 2. **Payment.**—That in order to Provide for the payment of the said loan and interest thereon there is hereby levied a special tax levy of three (3) mills upon all of the taxable property of the said Ridgeville School District No. 12, Dorchester County, sufficient to retire the loan plus interest within a period of five (5) years. The entire proceeds of this three (3) mill special tax levy shall be paid over annually to the Sinking Fund Commission by the County Treasurer to be applied on the principal and interest of the note given to secure the loan until the said loan with interest is paid in full, at which time the tax shall no longer be levied. It shall be the duty of the Auditor of Dorchester County to levy the said special tax and the duty of the County Treasurer of said

County to collect the tax so levied as other taxes are now collected by law.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 9th day of April, 1937.

(13)

No. 493.

AN ACT To Amend Act No. 487 of the Acts of 1933, Entitled "An Act to Authorize the Dorchester County Delegation, Together with the County Treasurer and the Chairman of the Board of Directors, to Sell All or Any Part of the Bonds Now Owned or Held by Dorchester County, Which Said Bonds Had Been Pledged by Peoples State Bank of South Carolina as Security for Deposits of Dorchester County in Said Bank at the Time of its Closing, the Proceeds of Said Sale or Sales to be Applied Pro Rata to the Respective Purposes for Which the Funds Represented by Said Deposits Were Collected, with the Power to County Treasurer at Such Sale or Sales to Purchase Said Bonds for the Sinking Funds of Said County or School Districts or Other Political Subdivision of Said County for Which Sinking Funds are Being Created", Approved March 10, 1933, So as to Make Provisions for the Handling and Expenditure of the Excess Amount of the Proceeds of the Sale of Such Pledged Bonds, and to Recall Any Applications of Such Excess Amount Heretofore Made.

Section 1. Act 487, 1933 Acts, amended—Dorchester County special contingent fund—disbursement.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 487 of the Acts of 1933, entitled "An Act to Authorize the Dorchester County Delegation, Together with the County Treasurer and the Chairman of the Board of Directors, to Sell all or any Part of the Bonds now Owned or Held by Dorchester County, Which said Bonds had been Pledged by Peoples State Bank of South Carolina as Security for Deposits of Dorchester County in said Bank at the Time of Its Closing, the Proceeds of said Sale or Sales to be Applied Pro Rata to the Respective Purposes for Which the Funds Represented by said Deposits were Collected, with the Power to County

Treasurer at Such Sale or Sales to Purchase Said Bonds for the Sinking Funds of said County or School Districts or Other Political Sub-Divisions of said County for Which Sinking Funds are Being Created", approved March 10, 1933, be, and the same is hereby, amended by changing the period at the end of Section 1 of said Act to a semicolon, and adding at the end of said Section 1 the following proviso, to wit:

"Provided, However, That any and all proceeds of the sale or sales of said pledged bonds in excess of the amounts of funds of the State, and of said County or any of its subdivisions originally on deposit in the said bank, which excess amounts to eighteen thousand six hundred and twenty-nine and 70/100 (\$18,620.70) dollars, shall, as of November 30, 1936, be held in a separate and special account, and shall be known as the Dorchester County Special Contingent Fund, and shall be expended and paid out by the County Treasurer of said County from time to time and in such amount or amounts and for such purpose or purposes as shall in writing be directed to the Chairman of the Board of Directors and the Treasurer of said County by the Senator and member of the House of Representatives for Dorchester County. So that said Section 1, when so amended, shall read as follows:

"Section 1: That the members of the Delegation in the General Assembly from Dorchester County, together with the County Treasurer and the Chairman of the Board of Directors of Dorchester County, or the majority of said Delegation, Treasurer and Chairman, be, and the same are hereby, authorized and empowered by resolution duly recorded in the minute book of the Board of Directors of Dorchester County signed by all or a majority of said Delegation, Treasurer and Chairman to sell all or any part of the bonds now owned or held by Dorchester County, which said bonds had been pledged by Peoples State Bank of South Carolina as security for deposits of Dorchester County in said Bank at the time of its closing, the proceeds of said sale or sales to be applied pro rata to the respective purposes for which the funds represented by said deposits were collected: *Provided, However,* That any and all proceeds of the sale or sales of said pledged bonds in excess of the amounts of funds of the State, and of said County or any of its subdivisions originally on deposit in the said bank, which excess amounts to eighteen thousand six hundred and twenty-nine and 70/100 (\$18,629.70) dollars, shall, as of November 30, 1936, be held in a separate and special account, and shall be known as the Dorchester County

Special Contingent Fund, and shall be expended and paid out by the County Treasurer of said County from time to time and in such amount or amounts and for such purpose or purposes as shall in writing be directed to the Chairman of the Board of Directors and the Treasurer of said County by the Senator and member of the House of Representatives for Dorchester County."

§ 2. Certain allocations or pro rata applications of excess funds rescinded.—That any and all allocations or pro rata applications of such excess amount or amounts which may have been made prior to the approval of this Act, other than the allocation of Three Thousand Eighty-one and 63/100 (\$3,081.63) Dollars heretofore made from said excess amounts to the County Contingent Fund, be and the same are hereby rescinded and cancelled, and the Treasurer of Dorchester County shall immediately recall any such allocated or applied funds from the accounts to which they may have been so allocated and applied, and transfer the same to the said Dorchester County Special Contingent Fund.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 3rd day of February, 1937.

(46)

No. 494.

AN ACT to Validate Loan of Six Thousand Two Hundred Seventy (\$6,270.00) Dollars Made to Dorchester County by the Sinking Fund Commission of South Carolina and to Fix a Tax Levy to Provide for the Retirement Thereof.

Section 1. Loan to Dorchester County validated.—Be it enacted by the General Assembly of the State of South Carolina: That a loan of Six Thousand, Two Hundred Seventy (\$6,270.00) Dollars made to Dorchester County by the Sinking Fund Commission of South Carolina on note executed by the Members of the County Board of Education of Dorchester County bearing date of September 4, 1936, be, and the same is hereby, validated and declared to be legal in all respects as an obligation of the said Dorchester County.

§ 2. Payment.—That in order to provide for the payment of the said note there is hereby set aside a sufficient amount of the special

school tax levy of Dorchester County to retire this obligation with interest within a period of three (3) years. It is further provided that if it is found that during any one year while this loan remains unpaid the present tax levy is insufficient to meet the payment of one-third of the principal sum of this loan and interest upon all money remaining unpaid, a special tax shall be levied for this purpose. It shall be the duty of the Auditor of Dorchester County to levy the said special tax, or set aside a sufficient amount of the present special school tax levy to retire the loan with interest and the duty of the County Treasurer of the said County to collect the tax so levied as other taxes are collected, by law.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 12th day of February, 1937.

(653)

No. 495.

AN ACT to Provide for the Levy of Taxes for School and County Purposes for the Year 1937 and to Direct the Expenditures Thereof in Edgefield County; and to Provide for and Fix the Fee of the Clerk of Court of Said County for Filing or Recording Certain Instruments; to Authorize the County Board of Education of said County to Borrow Money and to Pledge Certain School Revenues for the Payment Thereof, and Conferring Additional Powers on Said Board for the Government of the Schools in Said County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of sufficient number of mills, less the estimated revenue to be received by Edgefield County in 1937, to pay the appropriations hereinafter made, the amount of such millage to be determined by the County Auditor, after consulting with the members of the Edgefield County Legislative Delegation, is hereby levied upon all the taxable property of Edgefield County for County purposes for the fiscal year beginning January 1st, 1937, for the amounts and purposes hereinafter stated as follows, to-wit:

§ 2. The Board of County Commissioners is hereby authorized to divide the expenditures of such appropriations in monthly pay-

ments as nearly as practicable, and borrow money in sufficient sums to meet the expenses of the current year:

Item 1. Bridges and Maintenance of Chaingang and

Road Force	\$ 9,000.00
Clerk of Court	600.00
Sheriff	1,800.00
Deputy Sheriff and Jailor	1,050.00
Travel Expense of Deputy Sheriff.....	150.00

The sum of \$12.50 per month is hereby appropriated for travel expense of the Deputy Sheriff. Such appropriation may be cancelled at any time by the County Legislative Delegation.

Auditor	600.56
Treasurer	600.56
Superintendent of Education	1,200.00

In addition to the above salary the Superintendent of Education shall be allowed the sum of One Hundred (\$100.00) Dollars annually for traveling expenses in visiting and inspecting schools in Edgefield County, the said amount to be paid from miscellaneous and contingent accounts listed under this section.

Attorney	150.00
Physician	180.00

Provided, That the County Physician shall hold all inquests with no additional pay, and only mileage when approved by the County Legislative Delegation.

Janitor	\$ 300.00
Coroner	150.00
Supervisor	1,200.00
Two County Commissioners @ \$200.00 each..	400.00
Clerk of County Board of Commissioners....	250.00
Judge of Probate	200.00
Superintendent of County Farm	420.00
Magistrate of First District	350.00
Magistrate of Second District	125.00
Magistrate of Third District	300.00

Magistrate of Fourth District.....	125.00
Magistrate of Fifth District.....	75.00
Magistrate of Sixth District	125.00
Magistrate of Seventh District	100.00
County Dentist	132.00
Magistrates' Constables	400.00
<i>Provided, That the above \$400.00 shall be divided among the constables for the various districts as follows:</i>	
Constable, First District	120.00
Constable, Second District	84.00
Constable, Third District	96.00
Constable, Fourth District	25.00
Constable, Fifth District	25.00
Constable, Sixth District	25.00
Constable, Seventh District	25.00
Board of Equalization	300.00
Board of Education	42.00
Jurors and Witnesses	2,000.00
County Home, Poor House and Poor.....	2,000.00
Post Mortems, Inquests and Lunacy.....	200.00
Public Buildings, Including Water, and Fuel, Lighting and Insurance	2,000.00
Printing, Postage and Stationery.....	1,000.00
Vital Statistics	200.00
Miscellaneous and Contingent Accounts.....	2,500.00
Dieting of Prisoners and Jail	600.00
County Health Department.....	400.00
(The above appropriation shall be drawn only by the County Health Nurse and she shall draw the same only for the purpose of paying the Clerk of the County Health Department on the basis of \$40.00 per month, and shall use the balance of said appropriation for purchasing equipment, materials, etc.	

GRAND TOTAL\$ 31,225.12

§ 3. The County Treasurer and Supervisor are authorized to borrow money from the Sinking Fund Commission for the above purposes from any bank or banks, or any other party that will make the loan upon acceptable terms, and to give the note or notes

of the County for the sum borrowed and pledge the above levy as security for the note or notes given. The faith and credit of the County of Edgefield is hereby pledged to provide by annual levies for the payment of any sums borrowed under the provisions of this Act. The faith and credit of the County of Edgefield is hereby pledged, likewise, by annual levies for the repayment of said Sinking Fund Commission, or any bank or banks, or other parties that may make loan or loans as herein mentioned.

§ 4. In further addition to the above levies, the County Auditor, subject to the approval of the County Legislative Delegation, is authorized to make such levies as may be necessary in Johnston, Pine Grove, Pickens and Wise Townships in said county, to pay the interest on railroad bonds issued by, and now outstanding against, such townships, and the County Board of Commissioners is authorized to borrow such sums of money as may be necessary to pay the principal and interest as it matures, and to pledge the taxes so levied as security thereof.

§ 5. The Jailor of said county shall receive thirty-five (35¢) cents each per day for dieting prisoners, to be paid out of the funds for ordinary county purposes, to be in full payment of fees and salary, except such further fees as may be paid to him by the Sheriff for special services. The Court Crier, Jurors and Bailiffs shall receive two (\$2.00) dollars per day for each day's service in attendance upon Court.

§ 6. In addition to the other costs and fees now allowed by law to the Probate Judge for Edgefield County for his services he shall be entitled to the fees allowed him by law for issuing marriage licenses.

§ 7. In addition to the provisions herein made to pay the interest on any of said loans to Edgefield County, including any bonds, if issued, said interest when due may be paid out of the taxes herein levied for ordinary county purposes.

§ 8. No gasoline or oil purchased by the county shall be used by any officer except by the County Supervisor.

§ 9. In case any notes now outstanding against the county for school or other purposes cannot be paid during the year 1937 the proper officers of the county, as now provided by law, are hereby authorized and empowered to renew the same and to pledge the levies herein made as security for note or notes given, and the County Treasurer and Supervisor are hereby directed to furnish to the County Legislative Delegation on or before January 8, 1938, a

full statement of all outstanding notes of the county, and the purposes for which the said notes were given.

§ 10. All payments herein provided for shall be made direct to the person receiving the same, and all money paid to the jailor shall be paid direct to him out of the amounts herein appropriated for said purposes, and shall be paid only upon approval in writing of the Sheriff.

§ 11. No telephone shall be maintained by the county except with the approval of the County Legislative Delegation.

§ 12. No office supplies, postage or stationery, or fuel for any county office shall be bought except through the Clerk of Court, who shall authorize all purchases, and he shall be responsible for same, keeping an itemized statement of same and for which office bought, and shall furnish a statement of items bought each month to the County Board, and shall authorize no purchase beyond the appropriation herein provided.

§ 13. No office equipment, furniture and fixtures shall be bought except upon written approval of the County Legislative Delegation.

§ 14. No property shall be rented for the use of the county, or any department thereof, except with the written permission of the County Legislative Delegation.

§ 15. All labor on the county farms shall be furnished for said farms from the prisoners of the county or from the county chaingang.

§ 16. The office of Deputy Sheriff and the office of Jailor are hereby combined, said office to be known as Deputy Sheriff and Jailor, which said officer shall be appointed by the Sheriff and shall live in the county jail.

§ 17. The Supervisor and County Commissioners are forbidden to contract any liabilities and/or expend out of the appropriations for convicts, maintenance, gangs, equipment and material, and for the erection and maintenance of bridges, in excess of seven hundred fifty (\$750.00) Dollars, in any one month, but the total for the year shall not exceed in any case the total amount appropriated for the year. *Provided*, If there shall be any unexpended balance from any month's allowance then said unexpended balance may be expended in any subsequent month or months. Any official violating the provisions of this Section shall be personally liable, and his official bond also, for any violation thereof.

§ 18. All purchases for gang, roads, bridges, and their maintenance, of any kind whatsoever, must be made by the Supervisor personally, or on his written order: *Provided*, That no item costing

over One Hundred (\$100.00) Dollars shall be bought by the Supervisor without the written consent of at least one of the County Commissioners.

§ 19. No tractors, trucks, scrapes, wagons, scoops, or any kind of road machinery can be purchased with county funds without the written consent of the County Legislative Delegation.

§ 20. The fee that may be charged by the Clerk of Court for Edgefield County for the recording, filing, indexing and/or registering any mortgage or other instrument conveying an interest in, or creating a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress, known as the Farm Credit Act of 1933, if and/or as amended, a Regional Agricultural Credit Corporation, A Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality of officer thereof, shall be seventy-five (75¢) cents; and a copy of duplicate of such instrument shall be furnished to the recording officer. The fee that may be charged by the Clerk of Court for search and certificate of priority liens on crops for each loan shall be twenty-five (25¢) cents; *Provided*, That Edgefield County is specifically excepted from the provisions of Section 3637, Code of Laws of South Carolina, 1932. That the fee for recording a deed to real estate when the number of words does not exceed one thousand (1,000) shall be One (\$1.00) Dollar, and when the number of words exceeds one thousand (1,000) it shall be at the rate of ten (10¢) cents per hundred words.

§ 21. The County Board of Education shall operate the schools in Edgefield County on what is commonly known as a "County Unit" plan or system. The said Board shall determine the method of handling school funds, and it shall be its duty to regulate special school district levies so as to provide a uniform millage county-wide, to be approved in writing by the County Legislative Delegation, to finance the operation of the school system in said County.

The County Treasurer and County Superintendent of Education are authorized and empowered to borrow money, and to pledge the faith and credit of Edgefield County to the repayment of same, from the Sinking Fund Commission, any bank or banks, or any person or persons, who will make the loan upon suitable terms, and to give the note or notes of Edgefield County for the sum or sums

so borrowed; and, for the payment thereof, to pledge funds to be derived from school levies in said county and/or State Aid for teachers' salaries and transportation from the State of South Carolina.

The County Board of Education of said county shall be, and it is hereby empowered to fix and regulate the salaries of all superintendents, principals, teachers, janitors, bus drivers and/or any other person or persons employed directly or indirectly in connection with the school system of Edgefield County; and no person shall be employed or salary paid in any position aforesaid, or in any other capacity in connection with the school system of said county, without the approval of the said county Board of Education.

The County Board of Education shall have the power, and it is hereby authorized, to consolidate, affiliate and/or abolish schools in said county, when, in its judgment, economy or efficiency will result from such action. The said Board shall have full power to outline and locate school bus routes in said county, determine the schools to which pupils are to be transported for educational purposes, and may refuse the transfer or transportation of pupils to schools in other counties, if, in its judgment, economical and efficient education can be provided for said pupils in Edgefield County.

The said County Board of Education is authorized and directed to divide the county into high school districts and place all schools in the county in one of the said high school districts for instructional purposes, and the superintendents of the high schools shall have supervision of all schools placed in their respective districts.

On account of the additional work and expense incurred by the County Superintendent of Education in the construction of new school buildings in Edgefield County, the said County Superintendent of Education shall be allowed the sum of Two Hundred (\$200.00) Dollars for the year 1937, the said sum to be in addition to salary and expense allowance herein provided for, and the same to be drawn from the County Board of Education fund. *Provided*, That One Hundred (\$100.00) Dollars of said amount shall be drawn by the incumbent whose term expires July 1, 1937, and the other One Hundred (\$100.00) Dollars to be drawn by his successor whose term of office begins July 1, 1937.

§ 22. The County Treasurer and Supervisor are authorized and empowered to refinance any note or notes of Edgefield County, or of any political subdivision thereof, now held by the Sinking Fund Commission or any bank, person or corporation, and in the event of

such refinancing, the said County Treasurer and Supervisor are authorized to borrow money from any bank, person or corporation that will make the loan upon acceptable terms, and to give the note or notes of Edgefield County for the sum or sums so borrowed, and the full faith and credit of Edgefield County are hereby pledged to provide by annual levies for the repayment of any sums borrowed hereunder.

§ 23. The County Legislative Delegation shall have the right at any time to alter any of the salaries or appropriations herein.

§ 24. The County Board of Commissioners of Edgefield County are authorized and directed to hold an election during the year 1937 for cotton weigher in the town of Trenton, the said election to be held at the same time and under the same regulations as the election for cotton weigher in the town of Johnston, South Carolina, and the law applicable to the election for cotton weigher in the said town of Johnston shall be applicable to the election to be held in the said town of Trenton. The person elected cotton weigher in said election shall receive the same compensation for weighing cotton, shall take the same oath and hold office in the same manner and for the same term as the cotton weigher in the town of Johnston.

§ 25. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 26. This Act shall take effect as of January 1, 1937.

Approved the 21st day of May, 1937.

(333)

No. 496.

AN ACT to Authorize and Empower Trenton School District No. 27, in Edgefield County, South Carolina, to Borrow Not Exceeding \$10,000.00 for School Purposes of Said District, and to Provide Taxes for the Payment of Same.

Section 1. Trenton School District No. 27 borrow for school purposes, Edgefield County.—Be it enacted by the General Assembly of the State of South Carolina: That Trenton School District No. 27, in Edgefield County, South Carolina, is hereby authorized and empowered to borrow not exceeding the sum of Ten Thousand (\$10,000.00) Dollars for school purposes in said District. The loan so obtained and the debt created thereby shall be evidenced by the written obligation or obligations of the said School District executed by the trustees thereof, and the signatures of the

Trustees of said School District thereto shall be sufficient evidence of such indebtedness, without the necessity of any Resolution of the trustees authorizing the same. The written obligation or obligations shall be in such form and denomination and shall bear such rate or rates of interest and have such maturities as the trustees of said School District may determine, with the right and power in said trustees to execute renewals of any such obligation or obligations from time to time as, in their judgment, may be most advantageous to said School District.

§ 2. **Payment.**—The County Auditor of Edgefield County shall levy and the County Treasurer of said County shall collect annually a tax on all of the taxable property in said Trenton School District No. 27 sufficient to pay the interest and principal of the indebtedness created under this Act as the Trustees of said School District may desire to retire in any one year. In retiring any such indebtedness, the trustees of said School District are also empowered, in their discretion, to use any revenues accruing to the said School District from any sources not directed by law to be expended specifically for any other purpose. The full faith, credit and taxing power of the said School District are hereby pledged to secure the payment of the interest and the principal of the indebtedness created under the provisions of this Act.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(71)

No. 497.

AN ACT to Authorize and Empower Johnston School District No. 11, in Edgefield County, South Carolina, to Borrow Not Exceeding \$5,000.00 for School Purposes of Said District, And to Provide Taxes for the Payment of Same.

Section 1. Johnston School District No. 11 borrow for school purposes, Edgefield County.—Be it enacted by the General Assembly of the State of South Carolina: That Johnston School District No. 11, in Edgefield County, South Carolina, is hereby authorized and empowered to borrow not exceeding the sum of Five Thousand (\$5,000) Dollars for school purposes in said District.

The loan so obtained and the debt created thereby shall be evidenced by the written obligation or obligations of the said School District executed by the trustees thereof, and the signatures of the trustees of said School District thereto shall be sufficient evidence of such indebtedness, without the necessity of any Resolution of the trustees authorizing the same. The written obligation or obligations shall be in such form and denomination and shall bear such rate or rates of interest and have such maturities as the trustees of said School District may determine, with the right and power in said trustees to execute renewals of any such obligation or obligations from time to time as, in their judgment, may be most advantageous to said School District. *Provided, However,* That all instruments or obligations so executed, as well as all renewals thereof, shall mature within seven (7) years from the date of the original issue.

§ 2. Payment.—The County Auditor of Edgefield County shall levy, and the County Treasurer of said County shall collect, annually a tax on all of the taxable property in said Johnston School District No. 11 sufficient to pay the interest and principal of the indebtedness created under this Act as the trustees of said School District may desire to retire in any one year of the said seven (7) years. In retiring any such indebtedness, the trustees of said School District are also empowered, in their discretion, to use any revenues accruing to the said School District from any sources not directed by law to be expended specifically for any other purpose. The full faith, credit and taxing power of the said School District is hereby pledged to secure the payment of the interest and the principal of the indebtedness created under the provisions of this Act.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(397)

No. 498.

A JOINT RESOLUTION to Direct the Treasurer of Edgefield County to Refund to Mrs. Ella F. Powell Certain Overpaid Taxes.

§ 1. Tax refund to Mrs. Ella F. Powell by Edgefield County.—Be it resolved by the General Assembly of the State of South

Carolina: The Treasurer of Edgefield County is hereby authorized, empowered and directed to refund to Mrs Ella F. Powell the sum of sixteen and 26/100 (\$16.26) dollars which represents overpaid taxes by her for the year 1931 and 1932 on a certain farm in Edgefield County. This overpayment of taxes is due to the fact that she had conveyed certain lands upon which the taxes were paid by her and by the purchaser which caused a double assessment and collection of taxes on the same property.

§ 2. This Resolution shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(456)

No. 499.

AN ACT to Authorize Elmwood School District No. 8, in Edgefield County to Issue and Sell or Exchange Serial Coupon Bonds for the Purpose of Funding the Present Outstanding Bonds of the Said District.

Section 1. Elmwood School District No. 8 issue bonds fund certain outstanding bonds, Edgefield County.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Elmwood School District No. 8, in Edgefield County, South Carolina, are hereby authorized and empowered to issue and sell serial coupon bonds of the said school district for the purpose of funding or refinancing all or any portion of the present outstanding bonds against said district issued October 1st, 1924, the principal sums of which aggregate Seven Thousand (\$7,000.00) Dollars. The bonds shall be issued in such denominations as the Board of Trustees may determine but shall mature serially in installments of Five Hundred (\$500.00) Dollars annually, the first installment to mature in 1940 and the remaining installments annually thereafter. The bonds shall bear interest at a rate not exceeding four (4%) per cent per annum and shall be issued as coupon bonds payable to bearer but they may be issued with the privilege to the holder of having them registered in the office of the Treasurer of Edgefield County and the principal thus made payable to the registered holder. Any bonds so registered in the name of the holder may thereafter be registered to bearer and thus be made payable to bearer. The registration herein provided for shall not affect the negotiability of the coupons of such bonds but all coupons shall be payable to

bearer upon delivery. The principal and interest of the bonds may be made payable within or without the State of South Carolina. The bonds shall be signed by the members of the Board of Trustees of the said school district but the coupons attached to the bonds need not be authenticated otherwise than by the signature of the facsimile signature of the Chairman of the Board etched, lithographed, engraved or printed on the coupon. *Provided, However,* That the total amount of the bonds issued pursuant to the terms of this Act shall not exceed the amount of the present outstanding bonded indebtedness and any unpaid or accrued interest thereon of the said school district.

§ 2. Tax exempt—payment.—The bonds shall be exempt from all State, County, and municipal taxes. The Auditor of Edgefield County is hereby authorized and directed to levy and the Treasurer to collect annually a tax upon all the property in the said Elmwood School District No. 8, in Edgefield County, sufficient to meet the payment of principal and interest on the said bonds as the same mature, and the Treasurer is directed to apply the proceeds of the said tax to that purpose.

§ 3. Sale—exchange.—The sale of the said bonds may be had at private or public sale, as the Trustees may determine: *Provided,* That if the bonds are sold at private sale they shall be sold for not less than par and accrued interest; *Provided, Further,* That the bonds issued under this Act may be exchanged for the present outstanding bonds of the said district.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 1st day of May, 1937.

(459)

No. 500.

AN ACT to Authorize and Empower the Town of Johnston in Edgefield County, to Borrow Not Exceeding Ten Thousand (\$10,000.00) Dollars for Purposes of the Town.

Section 1. Town of Johnston borrow for municipal purposes.—Be it enacted by the General Assembly of the State of South Carolina: That the town of Johnston in Edgefield County, be, and it is hereby authorized and empowered to borrow not exceeding Ten Thousand (\$10,000.00) Dollars for Municipal purposes; the loan

to be evidenced by a written obligation, signed by its Mayor and attested by its Clerk, after the passage of a Resolution thereabout.

§ 2. **Obligation.**—The said obligation shall be in such form and such denominations, and shall be of such rate, or rates of interest, and shall have such maturities within the year as the Town shall provide.

§ 3. **Pledge pay.**—The full faith, credit and taxing power of the Town of Johnston are pledged to pay the principal and interest of the indebtedness created under the provisions of this Act.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(460)

No. 501.

AN ACT to Authorize the Town of Johnston, in the County of Edgefield, to Borrow Not Exceeding Twenty Thousand (\$20,000.00) Dollars to Purchase Outstanding Water and Sewer Bonds of Said Town and to Pledge Such Bonds as Collateral.

Section 1. Town of Johnston borrow purchase outstanding water and sewer bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the town of Johnston, in the County of Edgefield, is hereby, fully authorized and empowered to borrow not exceeding the sum of Twenty Thousand (\$20,000.00) Dollars for the purpose of purchasing outstanding water and sewer bonds of said Town, and to pledge said bonds as security for said loan or loans.

§ 2. **Notes.**—The note, or notes, given for the aforesaid purpose shall bear such rate of interest and have such maturities as the town council of said town shall direct; and may be renewed from time to time.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved the 30th day of April, 1937.

(242)

No. 502.

AN ACT to Provide for the Levy of Taxes for Ordinary County Purposes and for Support of County Chain Gang for Fairfield County for the Period Beginning January 1, 1937 and Ending June 30, 1937, and for the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of seven (7) mills, if so much be necessary, is hereby levied upon all the taxable property in the County of Fairfield for the period beginning January 1, 1937 and ending June 30, 1937.

Item 1. Roads and Bridges\$ 15,000.00

Provided, That all goods and supplies purchased by the Supervisor for the County must not be bought other than by competitive bids.
Provided, Further That no road machinery, or equipment shall be purchased or disposed of without the written consent of the Legislative Delegation.

Provided further, That the County Supervisor shall purchase all materials for the construction of a bridge over Rock Creek and the bridge over McLure's Creek.

Item 2. Salaries:

Clerk of Court	175.00
Sheriff	900.00
Clerk to Sheriff	150.00
Clerk to Clerk of Court and Probate Judge...	200.00
Deputy Sheriff	600.00
Auditor	326.08
Clerk Hire, Auditor	57.50
Treasurer	326.08
Clerk Hire, Treasurer	57.50
Tax Commissioner	750.00
Superintendent of Education	850.00
Attorney	75.00
Coroner	150.00
Supervisor	850.00
Clerk	600.00
Rural Police	1,800.00

	Stenographer to County Agent.....	50.00
	Judge of Probate	450.00
	Janitor and Fireman	125.00
Item 3.	Expenses of County Officers:	
	Expense of Supervisor's Car	200.00
	Expense of Sheriff's Car	200.00
	Expense of Tax Commissioner's Car.....	150.00
Item 4.	County Health Unit	1,632.82
	Hospitalization Fund	300.00
Item 5.	Magistrates and Constables	1,325.00
Item 6.	COUNTY BOARDS:	
	Board of Education	25.00
	Board of Equalization	200.00
Item 7.	Jail Expenses	1,100.00
Item 8.	Jurors and Witnesses and Court Expenses....	1,500.00
Item 9.	Aid to Poor	750.00
	<i>Provided</i> , That those now receiving aid and all applications hereafter accepted shall be approved by the County Health Doctor and a majority of the Hospitalization Committee. <i>Provided, Further</i> , That all W.P.A. funds (to be matched by county funds) must be approved by a majority of the Legislative Delegation.	
Item 10.	Post Mortems, Inquests and Lunacy.....	200.00
	<i>Provided</i> , That no inquest shall be held, except upon a written request of three (3) reputable citizens, and said request shall be filed with the County Supervisor.	
Item 11.	Public Buildings, including water, fuel, lights and insurance	1,250.00
Item 12.	Printing, postage and stationery	600.00
Item 13.	Contingent Fund	50.00
	In addition to funds appropriated in Section 7 of this Act.	
Item 14.	Vital Statistics	\$ 125.00
Item 15.	Farm and Home Demonstration.....	250.00

Item 16. Carolina Home—for Pearson children	120.00
Item 17. Seed Loan Office	50.00
TOTAL	\$ 33,419.98

§ 2. The County Auditor shall levy a tax of only one-half mill for the year beginning January 1, 1937 and ending June 30, 1937 for maintenance of roads in Township No. 11, and the Township Commissioners of said Township are hereby authorized to use so much of same as does not exceed three hundred and fifty (\$350.00) dollars for Forestry protection.

§ 3. That one thousand six hundred and thirty-two and 50/100 (\$1,632.50) dollars is herein appropriated for County Health Office: *Provided*, That the physician to be employed shall be a graduate of a regular medical college and skilled in hygienic and sanitary science; said physician shall be designated County Health Officer, and shall perform all such duties as may be imposed upon him by the sanitary laws of the State, and shall discharge all the duties of County Physician; and that a trained public nurse shall be employed who shall devote her whole time to public work in Fairfield County, and such other workers as may be found necessary and desirable to properly carry out a public health program. *Provided, Further*, That as far as possible a medical inspection of all school children in Fairfield County shall be made by the physician in charge, and that all trustees and principals shall give every assistance in carrying out the program; *Provided, Further*, That this appropriation is contingent upon the full compliance of this Section.

§ 4. The salaries of the Magistrates in the various districts for the period beginning January 1, 1937 and ending June 30, 1937 are hereby fixed as follows:

Magistrate at Winnsboro, one hundred and fifty (\$150.00) dollars; Winnsboro Mills, Ridgeway and District No. 1, one hundred (\$100.00) dollars each; all other Magistrates fifty (\$50.00) dollars; Constable at Winnsboro, Winnsboro Mills fifty (\$50.00) dollars each; all other Constables twenty-five (\$25.00) dollars per annum.

§ 5. That all warrants drawn on County funds shall specify on what fund they are drawn, and no warrant shall be drawn on any fund otherwise than specified in this Act.

§ 6. That the Sheriff of Fairfield County shall receive not exceeding fifty (50¢) cents per day for dieting prisoners. The Sheriff shall be allowed a turnkey fee of fifty (50¢) cents per prisoner.

That all temporary prisoners committed by the Town of Winnsboro the turnkey fee shall be paid by the Town of Winnsboro.

§ 7. All funds now in the hands of Treasurer and/or all funds that may come into his hands during the period from January 1 st to June 30, 1937, and all monies in hands of said Treasurer which were received by the collection of tax executions, and all such monies that may be received by him by collection of tax executions during such period are hereby transferred and made a part of the Contingent Fund in addition to the fifty (\$50.00) dollars appropriated in Section 1 of this Act. All funds of the county on hand January 1, 1937 by reason of unexpended balances of appropriations for the year ending December 31, 1936 are transferred to and made a part of said Contingent Fund. That no part of the Contingent Fund set out in this Act shall be spent except on an order or orders signed by a majority of the Legislative Delegation of Fairfield County.

§ 8. The County Supervisor is hereby directed to assume the office of Budget Officer for Fairfield County as a part of his duties as Supervisor, and he is hereby authorized to reduce the appropriations for the various items in this Act whenever he sees that the revenue will not be available to meet the required appropriation.

§ 9. The sum of two hundred and fifty (\$250.00) dollars shall be placed to the credit of the Farm Demonstration Agent, to be used by him for prizes for the Boys' and Girls' Clubs, and to be divided between such clubs equally. He is directed to file at the end of the year with the County Supervisor a statement showing how such funds were expended.

§ 10. The County Supervisor is authorized and directed to pay only one-half of the cost of maintaining and operating any ferry between Fairfield and Newberry Counties.

§ 11. In the event the Clerk of Court or Judge of Probate should have in their official capacity any funds which have been unclaimed for as long as seven (7) years, they are hereby authorized to pay same over to the County Treasurer, taking his receipt for the same. The County Treasurer shall deposit any amount so received in the County Contingent Fund.

§ 12. That all monies received by the County from the one (1¢) cent gasoline tax shall be placed in a special fund for the purpose of liquidating certain bonds, if so needed; and to be disbursed upon the approval of a majority of the Legislative Delegation.

§ 13. That the County Supervisor shall fix the salary of the Superintendent of the County chain gang at a salary not to exceed one hundred (\$100.00) dollars per month, to be paid out of the appropriation for Item 1.

§ 14. That the sum of two hundred (\$200.00) dollars shall be paid each Confederate Veteran who resides in the County of Fairfield, and has been a resident of said County for the past ten (10) years, and a sufficient sum for this purpose is hereby appropriated: *Provided*, That before any such veteran shall be paid said sum it shall be satisfactorily shown that he is now receiving a pension from the State of South Carolina.

§ 15. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 16. This Act shall take effect upon its approval by the Governor.

Approved the 1st day of April, 1937.

(220)

No. 503.

AN ACT to Provide for the Levy of Taxes for Ordinary County Purposes and for Support of County Chain Gang for Fairfield County for the Fiscal Year Beginning July 1, 1937, and Ending June 30, 1938, and for the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of seven (7) mills, if so much be necessary, is hereby levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1937 and ending June 30, 1938.

Item 1. Roads and Bridges\$ 30,000.00

Provided, That all goods and supplies purchased by the Supervisor for the County must not be bought other than by competitive bids. *Provided, Further*, That no road machinery or equipment shall be purchased or disposed of without the written consent of the Legislative Delegation.

Item 2. Salaries:

Clerk of Court	\$. 350.00
Sheriff	1,800.00

Clerk to Sheriff	300.00
Clerk to Clerk of Court and Probate Judge....	400.00
Deputy Sheriff	1,200.00
Auditor	652.16
Clerk Hire,Auditor	115.00
Treasurer	652.16
Clerk Hires,Treasurer	115.00
Tax Commissioner	1,500.00
Superintendent of Education	1,700.00
Attorney	150.00
Coroner	300.00
Supervisor	1,700.00
Clerk	1,200.00
Rural Police	3,600.00
Stenographer to County Agent.....	100.00
Judge of Probate	900.00
Janitor and Fireman	250.00
Item 3. Expenses of County Officers:	
Expense of Supervisor's Car.....	400.00
Expense of Sheriff's Car	400.00
Expense of Tax Commissioner's Car.....	300.00
Item 4. County Health Unit	\$ 3,265.64
Hospitalization Fund	600.00
Item 5. Magistrates and Constables	2,650.00
Item 6. COUNTY BOARDS:	
Board of Education	50.00
Board of Equalization	200.00
Item 7. Jail Expenses	2,200.00
Item 8. Jurors and Witnesses and Court Expenses....	3,000.00
Item 9. Aid to Poor	1,500.00
<i>Provided</i> , That those now receiving aid and all applications hereafter accepted shall be approved by the County Health Doctor and a majority of the Hospitalization Committee.	
<i>Provided, Further</i> , That all W.P.A. funds to be matched by county funds must be approved by a majority of the Legislative delegation.	

Item 10. Post mortems, Inquests, and lunacy.....	400.00
<i>Provided</i> , That no inquest shall be held, except upon a written request of three (3) reputable citizens, and said inquest shall be filed with the County Supervisor.	
Item 11. Public Buildings, including water, Fuel, Lights and Insurance	\$ 2,500.00
Item 12. Printing, Postage and Stationery	1,200.00
Item 13. Contingent Fund	100.00
In addition to funds appropriated in Section 7 of this Act.	
Item 14. Vital Statistics	250.00
Item 15. Farm and Home Demonstartion.....	500.00
Item 16. Carolina Home—for Pearson Children	240.00
Item 17. Seed Loan Office	100.00
TOTAL	\$ 66,839.96

§ 2. The County Auditor shall levy a tax of only one-half mill for the year beginning July 1, 1937 and ending June 30, 1938 for maintenance of roads in Township No. 11, and the Township Commissioners of said Township are hereby authorized to use so much of same as does not exceed Three Hundred Fifty (\$350.00) Dollars for Forestry protection.

§ 3. That Three Thousand Two Hundred Sixty-five (\$3,265) Dollars is herein appropriated for County Health Office: *Provided*, That the physician to be employed shall be a graduate of a regular medical college and skilled in hygienic and sanitary science; said physician shall be designated County Health Officer, and shall perform all such duties as may be imposed upon him by the sanitary laws of the State, and shall discharge all the duties of County Physician; and that a trained public nurse shall be employed who shall devote her whole time to public work in Fairfield County, and such other workers as may be found necessary and desirable to properly carry out a public health program. *Provided, Further*, That as far as possible a medical inspection of all school children in Fairfield County shall be made by the physician in charge, and that all trustees and principals shall give every assistance in carrying out the program: *Provided, Further*, That this appropriation is contingent upon the full compliance of this Section.

§ 4. The salaries of the Magistrates in the various districts for the year beginning July 1, 1937 and ending June 30, 1938 are hereby fixed as follows:

Magistrate at Winnsboro, Three Hundred (\$300.00) Dollars; Winnsboro Mills, Ridgeway and District No. 1, Two Hundred (\$200.00) Dollars each: all other Magistrates One Hundred (\$100.00) Dollars: Constable at Winnsboro, Winnsboro Mills One Hundred (\$100.00) Dollars each; all other Constables Fifty (\$50.00) Dollars per annum.

§ 5. That all warrants drawn on County funds shall specify on what fund they are drawn, and no warrant shall be drawn on any fund otherwise than specified in this Act.

§ 6. That the Sheriff of Fairfield County shall receive not exceeding Fifty (50¢) cents per day for dieting prisoners. The sheriff shall be allowed a turnkey fee of fifty (50¢) cents per prisoner. That all temporary prisoners committed by the Town of Winnsboro the Turnkey fee shall be paid by the Town of Winnsboro.

§ 7. All funds now in the hands of Treasurer and/or all funds that may come into his hands during the year 1937-38 and monies in hands of said Treasurer which were received by the collection of tax executions, and all such monies that may be received by him by collection of tax executions during the year 1937-38 are hereby transferred and made a part of the Contingent Fund in addition to the One Hundred (\$100.00) Dollars appropriated in Section 1 of this Act. All funds of the County on hand July 1, 1937 by reason of unexpended balances of appropriations for the period ending June 30, 1937 are likewise transferred to and made a part of said Contingent Fund. That no part of the Contingent Fund set out in this Act shall be spent except on an order or orders signed by a majority of the Legislative Delegation of Fairfield County.

§ 8. The County Supervisor is hereby directed to assume the office of Budget Officer for Fairfield County as a part of his duties as Supervisor, and he is hereby authorized to reduce the appropriations for the various items in this Act whenever he sees that the revenue will not be available to meet the required appropriation.

§ 9. The Sum of Five Hundred (\$500.00) Dollars shall be placed to the credit of the Farm Demonstration Agent, to be used by him for prizes for the Boys' and Girls' Clubs, and to be divided between such clubs equally. He is directed to file at the end of the year with the County Supervisor a statement showing how such funds were expended.

§ 10. The County Supervisor is authorized and directed to pay only one-half of the cost of maintaining and operating any ferry between Fairfield and Newberry Counties.

§ 11. In the event the Clerk of Court or Judge of Probate should have in their official capacity any funds which have been unclaimed for as long as seven (7) years they are hereby authorized to pay same over to the County Treasurer, taking his receipt for the same. The County Treasurer shall deposit any amount so received in the County Contingent Fund.

§ 12. That all monies received by the County from the one (1¢) cent gasoline tax shall be placed in a special fund for the purpose of liquidating certain bonds, if so needed; and to be disbursed upon the approval of a majority of the Legislative Delegation.

§ 13. That the County Supervisor shall fix the salary of the Superintendent of the County chain gang at a salary not to exceed One Hundred (\$100.00) Dollars per month, to be paid out of the appropriation for Item 1.

§ 14. That the sum of Four Hundred (\$400.00) Dollars shall be paid each Confederate Veteran who resides in the County of Fairfield, and has been a resident of said County for the past ten (10) years, and a sufficient sum for this purpose is hereby appropriated; *Provided*, That before any such veterans shall be paid said sum it shall be satisfactorily shown that he is now receiving a pension from the State of South Carolina.

§ 15. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 16. This Act shall take effect upon its approval by the Governor.

Approved the 24th day of March, 1937.

(16)

No. 504.

AN ACT to Exempt Certain Taxpayers of Fairfield County, as Hail Sufferers, from Ordinary County Taxes for the Year 1936, and to Provide for the Refund of Such Taxes.

Section 1. Hail sufferers exempt from county taxes, Fairfield County.—Be it enacted by the General Assembly of the State of South Carolina: That the County Treasurer of Fairfield County is hereby authorized and empowered to remit, refund and/or exempt to the taxpayers of Fairfield County, ordinary county taxes of any

taxpayer for the year 1936, upon the property in the township where property of such taxpayer was destroyed and/or damaged by hail in 1936: *Provided*, The amount of the taxes of any taxpayer so remitted, refunded and/or exempted shall not exceed the amount of damage suffered by such taxpayer.

§ 2. **File claim—tax board of assessors approve.**—Every person firm or corporation claiming a remittance, refund and/or exemption of his or its taxes under the provisions of this Act shall present to the County Treasurer of said County a claim for same. Such claim shall state the location of the property of such taxpayer so destroyed or damaged, the amount of damage suffered by such taxpayer and shall be sworn to before any person authorized to administer oaths under the laws of this State. The said claim before being accepted by the said Treasurer shall be approved by a majority of the Tax Board of Assessors for the township in which the damage occurred. The approval of said claim shall be signed by members of the said board, shall be in writing and attached to said claim and shall state the following:

"We, the undersigned, have investigated this claim and believe that the facts therein stated are correct and therefore approve same."

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 3rd day of February, 1937.

(199)

No. 505.

AN ACT to Validate a Certain Deed Executed and Delivered by the Trustees of School District No. 1, Fairfield County, to Jeff D. Boulware.

Section 1. Deed conveying one acre lot to Jeff D. Boulware by E. E. Coleman et al validated, Fairfield County.—Be it enacted by the General Assembly of the State of South Carolina: That a certain deed, dated the . . . day of January, 1934, recorded in the office of the Registrar of Mesne Conveyance for Fairfield County, on the 26th day of February, 1934, in Book "BR" of Deeds, at page 33, conveying to Jeff D. Boulware, by E. E. Coleman, W. Y. Propst, and W. T. Boulware, a certain lot of land, situate in Fairfield County, containing one acre of land, and fully described in said deed, is

hereby confirmed and ratified, and the Registrar of Mesne Conveyance for Fairfield County is hereby required to enter on the margin of the record of said deed a reference to this Act confirming the said deed.

§ 2. This Act to take effect upon its approval by the Governor.
Approved the 24th day of March, 1937.

(641)

No. 506.

AN ACT to Make Appropriations for and to Provide for the Levy of Taxes in Florence County for Ordinary County Purposes for the Fiscal Year 1937, and for the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a twelve (12) mill tax is hereby levied upon all of the taxable property of Florence County for ordinary county purposes for the fiscal year commencing January 1, 1937, for the amounts and purposes hereinafter stated as follows: to-wit: *Provided*, That the tax levied herein is intended to supplement the funds on hand and to be received from other sources during the year 1937, and there shall be paid out of said funds any and all amounts to become due during the year 1937, for which the same, or any part thereof have been pledged.

Item 1. Roads, bridges and chaingang	\$ 55,000.00
<i>Provided</i> , That from this appropriation all foremen employed by the County shall be paid a salary of \$75.00 per month.	
Item 2. Piping for Bridges	2,500.00
Item 3. New Equipment (Machinery, etc.)	\$ 14,000.00
Item 4. Jurors and Witnesses	9,000.00
Item 5. County Court	7,000.00
Item 6. Juvenile Court (Expenses)	300.00
<i>Provided</i> , That the Judge of Probate shall receive the sum of \$3.00 for each Juvenile Case.	
Item 7. Lunacy Examinations (Judge of Probate)	225.00
<i>Provided</i> , That the Judge of Probate shall receive the sum of \$5.00 for each lunacy examination.	
Item 8. Home for Indigents	3,500.00
Item 9. Poor, not inmates of County Home	4,000.00

Item 10. Needy and Orphaned Children	900.00
Item 11. Extra Pensions, Confederate Veterans	60.00
Item 12. County Board of Equalization	1,700.00
Item 13. County Board of Registration	150.00
Item 14. Vital Statistics	750.00
Item 15. Court House Expenses, Heat, Water, Telephone, etc.	4,000.00
Item 16. Janitor at Court House and Night Watchman..	750.00
<i>Provided</i> , That the Assistant Jailor shall serve as Janitor at the Court House, and as Night Watchman, without any additional compensa- tion for this work.	
Item 17. Printing and Postage	2,200.00
Item 18. Premiums on Bonds	400.00
Item 19. Miscellaneous Funds	2,000.00
Item 20. Armory Home Guards—Florence	1,500.00
Item 21. Armory Home Guards—Timmons ville	1,500.00
Item 22. Jail and Dieting of Prisoners	3,500.00
<i>Provided</i> , That this amount shall be augmented by the amounts received for dieting of Fed- eral Prisoners, which when paid to the Treas- urer of Florence County shall be by him kept in a separate fund to the credit of this item. The Government Board is hereby authorized to employ a Jailor and Assistant Jailor at such salary as they may fix.	
Item 23. Supplies for National Re-employment office...	300.00
Item 24. Rental of Office for District Headquarters Gov- ernment Agencies; <i>Provided</i> District Head- quarters shall be established at Florence.....	1,680.00
Item 25. Interest—Jail Bonds	1,485.00
Item 26. Sinking Fund—Jail Bonds	1,000.00
Item 27. Interest Highway Bonds—Timmons ville Road	9,540.00
Item 28. Sinking Funds—Highway Bonds Timmons ville Road	12,000.00
Item 29. Interest Highway Bonds—2nd Bonds Timmons- ville Road	3,390.00
Item 30. Sinking Fund—2nd Bonds Timmons ville Road	3,000.00
Item 31. Interest Past Indebtedness Bonds	16,280.00
Item 32. Sinking Fund Past Indebtedness Bonds	4,000.00
Item 33. Interest on Court House Bonds	3,260.00

Item 34.	Court House Bonds	3,000.00
Item 35.	Sheriff	3,250.00
Item 36.	Aid to property owners on Franklin Avenue, Lafayette Circle, Madison Avenue, and Jack- son Avenue, near the City of Florence, for paving these streets, if so much be necessary.\$	4,000.00
Item 37.	Deputies, 4 @ \$170.00 per month each, payable monthly	8,160.00
	One of whom shall be special liquor enforce- ment officer and shall cooperate with the Mag- istrates' Constables in enforcing liquor laws.	
Item 38.	Treasurer's Office (Salary)	4,001.00
	<i>Provided</i> , That in addition thereto the Treasurer shall be entitled to fifty per cent (50%) of all monies received on account of the issuance of tax executions out of which he shall pay the premium on his official bond.	
Item 39.	Auditor's Office (Salary)	4,001.00
	<i>Provided</i> , That there shall first be deducted from Items 38 and 39 the portion of salary to be paid by the State.	
Item 40.	County Attorney	1,200.00
Item 41.	County Physician	3,000.00
	The County Physician for this salary shall at- tend inmates of Jails, prisoners on chaingangs, inmates of County Farm, and other poor un- able to employ a physician upon the request of County Board and shall also make lunacy examinations, Post Mortems, autopsies, and work with the Tubercular nurse, and shall in- vestigate applications for doles when re- quested by Governing Board so to do.	
Item 42.	Coroner	1,500.00
Item 43.	Chairman Governing Board	1,040.00
Item 44.	Five (5) members Governing Board @ \$50.00 per month	4,200.00
Item 45.	Clerk to Governing Board	\$ 1,620.00
Item 46.	Magistrate—Florence	1,500.00
Item 47.	Magistrate—Timmons ville	900.00
Item 48.	Magistrate—Lake City	1,080.00
Item 49.	Magistrate—Pee Dee & Hannah	600.00

Item 50. Magistrate—Evergreen	600.00
Item 51. Magistrate—Olanta	800.00
Item 52. Magistrate—Johnsonville	600.00
Item 53. Magistrate—Pamplico	600.00
Item 54. Magistrate—Coward	600.00
Item 55. Constable—Florence	900.00
Item 56. Constable—Timmons ville	900.00
Item 57. Constable—Olanta	720.00
Item 58. Constable—Lake City	900.00
Item 59. Constable—Pamplico	600.00
Item 60. Constable—Evergreen	600.00
Item 61. Constable—Johnsonville	600.00
Item 62. Constable—Pee Dee & Hannah	600.00
Item 63. Constable—Cowards	600.00

For the salaries above set forth for Magistrates' Constables, said Constables are especially charged with the enforcement of the game laws and liquor laws of the State, and are subject to be called upon at any time by the Chief Game Warden and the liquor enforcement officers of the County.

Item 64. Clerk to Judge of Probate	1,200.00
Item 65. Service Officer's Salary	900.00
Item 66. County Manager	2,500.00
Item 67. County Agents' Traveling Expenses\$	500.00
Item 68. Home Demonstration Agent—Expenses.....	350.00
Item 69. Assistant Home Demonstration Agent	1,200.00
Item 70. Negro County Agent	300.00
Item 71. Negro Home Demonstration Agent	600.00
Item 72. County Health Doctor	1,500.00

Provided, That the County Health Doctor shall act with the County Physician as one of the examining physicians in all lunacy examinations and shall administer and give small pox vaccinations and antithphoid serums in addition to all other general duties of the County Health Doctors.

Item 73. County Nurse	1,800.00
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Provided, The Health Department Nurse shall be included in the County Health Unit and

shall be employed by and under the direction
and supervision of the County Health Officer.

Item 74. County Forest Protective Association	4,000.00
Item 75. Tubercular Hospital	15,000.00
Item 76. County Druggist	1,200.00
Item 77. Judge of Civil Court Office Expenses, equip- ment, Stationery, postage, etc.	300.00
Item 78. Annual Audit	600.00
Item 79. Clerical Assistant Seed Loan Agent	600.00
Item 80. County Nurse	1,200.00
Item 81. Sewing Room	200.00
Item 82. Auditor's Office adding machine	\$ 360.00
Item 83. Anderson's Bridge	6,600.00
Item 84. Expense County Service Officer	300.00
Item 85. Past Indebtedness of Probate Judge 1936.....	295.00
Item 86. Settlement Bass' Bridge Cases	1,500.00
Item 87. County Board of Public Welfare	2,000.00
Item 88. Rural Electrification Assistance	500.00
Item 89. Charity Hospital Cases	12,000.00

From this amount shall be paid all amounts due the two hospitals up to June 1st, 1937, on the basis of two dollars per day per patient handled by each hospital from January 1, 1937, to June 1, 1937. The remainder of the said appropriation shall from June 1st be equally divided between the two hospitals upon the basis of \$2.00 per day per patient. After June 1st this fund shall be administered by the County Board of Public Welfare and all applicants for charity hospitalization shall be made to the County Doctor and approved by the Director of the County Board of Public Welfare before payment by the County.

TOTAL\$284,647.00

§ 2. That such officers of the County of Florence as are charged with the expenditure or disbursement of the above appropriation shall state upon each warrant drawn upon the County Treasurer the item in the appropriation Act on account of which the warrant shall have been drawn and such disbursing officers shall not draw their warrant upon the County Treasurer in any amounts singly or in the

aggregate for more than has been appropriated for the specific purpose for which the warrant is drawn, except upon the written consent of all of the Legislative Delegation, and no warrant paid by the County Treasurer shall be allowed as a credit to him in his settlement unless it conforms with the above requirements: *Provided, Further*, The Governing Board of Florence County is hereby authorized to borrow the funds hereinabove appropriated and pledge the taxes to be collected for 1937; *Provided, Further*, That upon any matter which the Governing Board of Florence County is required to act in connection with the County's business and affairs a majority of the said Board shall be sufficient.

§ 3. The Governing Board shall award this loan to the lowest *bona fide* bidder, after advertising for open bids in one or more newspapers published in Florence County at least ten (10) days prior to awarding bids, and at the same time notify each bank in Florence County in writing the terms and conditions under which said bids are received. The proceeds of this loan shall be deposited with the successful bidder, provided the successful bidder is an incorporated bank, within the County of Florence, South Carolina; *Provided, Further*, That before depositing any funds of the county in any bank or banks, such bank or banks shall secure the safe deposit of said funds by depositing with the County Treasurer a trust receipt certifying that securities to the amount of such deposit or deposits have been duly set aside in some bank or trust company to be approved by the County Board and are being held in trust for the County of Florence to secure the said deposit. *Provided, Further*, That said securities shall be bonds or obligations issued by the United States of America, the State of South Carolina, or some political or governmental sub-division thereof, either or both or Federal Land Bank or Joint Stock Land Bank bonds, or Home Loan Bonds: *Provided, Further*, That the deposit so made and secured shall remain with the bank or banks receiving it until used for the purpose for which it was borrowed, and all other funds of the County not already pledged shall be deposited with such successful bidder or bidders.

§ 4. That prior to purchasing county supplies and in such instances as will equal or exceed an expenditure of fifty (\$50.00) dollars or more, such purchases shall only be made after due advertisement and notice for competitive bids.

§ 5. That all road machinery, plows, equipment, etc., to be purchased by the County of Florence from the funds herein appropri-

ated shall be bought only upon competitive sealed bids, after two weeks' advertisement for such bids in some newspaper best calculated to give notice to the trade, which advertisement shall designate the time and place at which the bids will be open and the said bids shall be publicly opened at the time and place designated in the said advertisement.

§ 5-A. That from the funds appropriated in Item 1, the Governing Board of Florence County shall allocate the sum of \$3,500.00 to supply the funds agreed to be advanced by Florence County in connection with the government aid on the paving of West Evans Street Extension and South Coit Street Extension.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.

Approved the 20th day of May, 1937.

(127)

No. 507.

AN ACT to Provide for the Levy of a Tax for School Purposes in Florence County, for the Expenditures Thereof, for Borrowing Money for School Purposes; to Require School Trustees to Prepare Budgets of School expenses and to Prohibit Expenditures in Excess of Budgets.

Section 1. Appropriation for educational purposes, Florence County—tax levy.—Be it enacted by the General Assembly of the State of South Carolina: That the sum of Twenty Five Thousand Two Hundred Forty Eight and no/100 (\$25,248.00) Dollars is hereby appropriated for educational purposes for the County of Florence for the Scholastic year 1937-38 and a tax sufficient to raise this said sum, the millage to be determined by the County Auditor, is hereby levied upon all taxable property of Florence County, which sum shall be expended for the following purposes, that is to say:

Item 1. Salary of County Superintendent of Education.	\$ 3,300.00
Item 2. Salary of Clerk or Assistant	1,200.00
Item 3. Expense of County Board of Education.....	500.00
Item 4. Supplies for the Superintendent's Office.....	400.00
Item 5. Travel for County Superintendent of Education	500.00
Item 6. High School Tuition	12,000.00
Item 7. Weak High School Aid	5,100.00

Item 8. One-half salary for colored Supervisor.....	448.00
Item 9. Weak Grammar School Aid and Building Aid	1,500.00

\$ 24,948.00

§ 2. **Borrow.**—In order to effectually carry out the purpose of this Act and for the operation of schools in Florence County the Board of Education for said County is authorized to borrow such sum of money as may be necessary, the amount not to exceed 50% of the taxes pledged for the payment thereof, and shall have the power to pledge any part or all of the school taxes levied in Florence County as security therefor, except Florence District No. 1. In the event it becomes necessary to borrow money for the said purposes the County Board shall award the loan or loans to be made therefore to the lowest *bona fide* bidder, after first advertising for bids by notice published in one or more newspapers having circulation in Florence County for at least ten days prior to awarding any such bid, and after first giving written notice to all banks in Florence County of the terms and conditions under which said bids shall be received. The proceeds of any loan so obtained shall be deposited with the successful bidder, provided the successful bidder be an incorporated bank within the County of Florence and shall provide the County Treasurer collateral for the same as provided by the County Supply Act.

§ 3. **School trustees prepare budgets.**—That the Board of Trustees of the various school districts in Florence County shall, on or before the 1st day of June of each year thereafter, prepare a budget showing in detail the item of proposed expenditures for the school in their respective districts for the next ensuing scholastic year and file the same with the Board of Education for said County for its examination and approval; that no such budget shall be approved by the County Board of Education in excess of the revenues provided for the operation of the schools in any such school district, and no claim against any such district shall be approved for the payment by the County Superintendent of Education in excess of funds on the budget approved by the said County Board.

§ 4. **Cumulative.**—This Act is intended to be in addition to and not in conflict with any of the provisions of the General Supply Act of Florence County for the ensuing year.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(81)

No. 508.

AN ACT to Authorize and Empower the Trustees of Mars Bluff School District No. 4 in Florence County to Borrow Not Exceeding the Sum of Three Thousand (\$3,000.00) Dollars for the Purpose of Completing the School Auditorium.

Section 1. Mars Bluff School District No. 4, Florence County, borrow complete auditorium.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Mars Bluff School District No. 4 and the County Treasurer of Florence County be, and they are hereby authorized and empowered to borrow as much as needed, the sum not to exceed Three Thousand (\$3,000.00) Dollars, the proceeds of which shall be used by the said trustees for the purpose of completing the school auditorium.

§ 2. Issue notes.—The loan shall be evidenced by a note or notes, which shall be executed by the Board of Trustees and the Treasurer of Florence County, and shall be payable in five annual installments, plus annual interest, the rate not to exceed six (6%) per cent. per annum.

§ 3. Payment.—In order to provide payment for said note or notes, the Board of Trustees of Mars Bluff School District No. 4 and the Treasurer of Florence County are hereby authorized to apply all of the two (2) mill special tax levy voted upon all the taxable property of Mars Bluff School District No. 4 on October 20, 1936, for the purpose of completing the auditorium, the total proceeds of which shall be applied on the principal and interest of the note or notes. It shall be the duty of the County Treasurer to collect taxes so levied. The levy provided for in this Section shall run until the loan is retired in full with interest at which time the levy shall no longer be made.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(391)

No. 509.

AN ACT to Authorize the School Trustees of Lake City School District No. 47, Florence County, to Issue Certificates Evidencing the Indebtedness Due to the Said Lake City School District No. 47, Florence County, for Taxes Due and Unpaid by Tax Payers of the Said Lake City School District No. 47, and to Sell, Hypothecate, or Pledge Said Certificates and upon Such Sale, Hypothecation or Pledge to Assign the Same and in the Name of Lake City School District No. 47, Florence County, to Guarantee the Payment Thereof.

Section 1. Lake City School District No. 47 issue certificates evidencing indebtedness due for taxes, Florence County—sell, hypothecate or pledge such certificates—payment.—Be it enacted by the General Assembly of the State of South Carolina: The Board of Trustees of Lake City School District No. 47, Florence County, is hereby authorized and empowered from time to time to issue its certificates evidencing the amount of taxes or portions thereof, not to exceed Fifteen Thousand (\$15,000.00) Dollars, which may have been levied against property in said School District and which are past due and unpaid, and to sell, hypothecate or pledge said certificates, and upon such sale, hypothecation or pledge to assign the same and to guarantee in the name of Lake City School District No. 47, Florence County, the payment of the indebtedness evidenced thereby, at a place and time designated in such guarantee: *Provided, However,* That when the taxes evidenced by said certificates are collected they shall be applied solely to the retirement of the same until all of said certificates are retired in full; and *Provided, Further,* that in the event at any time sufficient of the said due and unpaid taxes have not been collected to meet the payment to the holder of such certificates of the amount which is to be paid under the guarantee endorsed on said certificates at the time such guarantee provides for payment, the auditor of the County of Florence shall forthwith levy, and the Treasurer of said County, or the tax collector thereof, as the case might be shall collect a tax upon all taxable property in Lake City School District No. 47, Florence County, which, added to the collections made on such due and unpaid taxes, will make a sum sufficient to meet the payment of the amount due on the certificates then maturing; such certificates shall have attached to them interest coupons certifying that Lake City School District No. 47, Florence County, will pay to the holder

thereof the amount of interest therein stated, which interest shall be fixed by the Board of Trustees of said School District in the resolution authorizing the issuance of said certificates. The guarantee of the Board of Trustees endorsed on said certificates shall provide the date in which the holder of said certificates may require payment thereof, and such time shall be fixed as in the opinion of the Board of Trustees of Lake City School District No. 47, Florence County, it is probable that the collection of said due and unpaid taxes will enable the same to be paid. The certificates and the guarantee and assignment endorsed thereon shall be signed, respectively, by the Chairman and Secretary of the Board of Trustees of said School District and the interest coupons attached to said certificates shall be signed with the facsimile signature of the County Treasurer of Florence County lithographed or engraved thereon or actually signed.

§ 2. Deposit and disbursement of funds.—The Treasurer of Florence County is hereby constituted the agency to hold and disburse the money received from past due and unpaid taxes for Lake City School District No. 47, Florence County, as hereinabove authorized, together with the proceeds of any special tax levy made for the purpose of paying the principal or interest of said certificates.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect immediately upon the approval by the Governor.

Approved the 29th day of April, 1937.

(401)

No. 510.

AN ACT to Authorize and Empower the Trustees of Johnsonville School District No. 55, in Florence County to Borrow Not Exceeding the Sum of Two Thousand (\$2,000.00) Dollars for the Purpose of Retiring a Note Due the Old First National Bank.

Section 1. Johnsonville School District No. 55 borrow retire certain note, Florence County.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Johnsonville School District No. 55, and the County Treasurer of Florence County be, and they are hereby, authorized and empowered to borrow as much as needed, the sum not to exceed Two Thousand (\$2,000.00) Dollars, the proceeds of which shall be used by the

said Trustees for the purpose of retiring a note due the Old First National Bank.

§ 2. **Issue notes.**—The loan shall be evidenced by a note, or notes, which shall be executed by the Board of Trustees and the Treasurer of Florence County, and shall be payable in five (5) annual installments, plus annual interest, the rate of interest not to exceed six per cent (6%) per annum.

§ 3. **Payment.**—In order to provide payment for said note or notes, the Board of Trustees of Johnsonville School District No. 55, and the Treasurer of Florence County, are hereby authorized to apply the two mills tax levy now on all the taxable property of Johnsonville School District No. 55, for the purpose of paying notes, the total proceeds of which shall be applied on principal and interest of the note or notes issued under this Act. It shall be the duty of the County Treasurer to collect taxes so levied or assessed. The levy provided for in this Section shall run until the loan is retired in full, with interest, at which time the levy shall no longer be made.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of April, 1937.

(132)

No. 511.

AN ACT to Authorize and Empower the Trustees of Sardis School District No. 12 in Florence County to Borrow Not Exceeding the Sum of Twenty-Five Hundred (\$2500.00) Dollars for the Purpose of Building a Superintendent's Home and a Two Room Colored School Building and to Provide for the payment of Said Loan and Interest Thereon.

Section 1. Sardis School District No. 12, Florence County, borrow for building.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Sardis School District No. 12 and the County Treasurer of Florence County be, and they are hereby authorized and empowered to borrow as much as needed, the sum not to exceed Twenty-five Hundred (\$2,500.00) Dollars, the proceeds of which shall be used by the said trustees for the purpose of building a Superintendent's home and a negro school building.

§ 2. **Issue notes.**—The loan shall be evidenced by a note or notes, which shall be executed by the Board of Trustees and the Treasurer of Florence County, and shall be payable in five annual installments, plus annual interest, the rate of interest not to exceed six per (6%) per annum.

§ 3. **Payment.**—In order to provide payment of said note or notes, the Board of Trustees of Sardis School District No 12 and the Treasurer of Florence County are hereby authorized to apply or set aside five mills tax levy now on all the taxable property of Sardis School District No. 12, the same being three mills levy that is now on the district for bonds and two mills that is now on for interest, the total proceeds of which shall be applied on the principal and interest of the note or notes. It shall be the duty of the County Treasurer to collect taxes so levied or assessed. The levy provided for in this Section shall run until the loan is retired in full with interest at which time the levy shall no longer be made.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(260)

No. 512.

A JOINT RESOLUTION Authorizing, Empowering and Directing the Treasurer of Florence County to Mark off a Shortage Carried on the Books Against Former Sheriff Burch.

Section 1. Mark off account on treasurer's books showing shortage against former sheriff Burch, Florence County.—Be it resolved by the General Assembly of the State of South Carolina: The Treasurer of Florence County is authorized, empowered and directed to mark off on the books of the County Treasurer of Florence County an account carried thereon as a shortage by former Sheriff Burch of Florence County.

§ 2. This Resolution shall take effect upon its approval by the Governor.

Approved the 3rd day of April, 1937.

(355)

No. 513.**AN ACT to Provide for the Levy of Taxes for Schools, Roads and Other County Purposes in Georgetown County for the Fiscal Year Beginning January 1, 1937, and for the Expenditure Thereof.**

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That in order to defray the sums herein respectively appropriated for the purposes enumerated hereafter, there is hereby levied upon all the taxable property of Georgetown County for the fiscal year beginning January 1, 1937, such number of mills as may be necessary for the purpose of paying the sums set out herein. The County Auditor shall make such levy with the approval of the Senator and at least one member of the House of Representatives from the County. The Auditor shall also levy, in addition to the levies hereinabove specified, a sufficient number of mills on all the property in Georgetown County to pay the interest and the principal on all notes and/or bonds outstanding against Georgetown County coming due and maturing during the fiscal year, 1937.

Roads, Bridges and Ferries.....	\$ 10,000.00
Salaries:	
Clerk of Court	2,200.00
Deputy Clerk	900.00
Sheriff	2,350.00
Two Deputy Sheriffs, each \$1200-.00	2,400.00
Operation and Upkeep of Sheriff's Cars	900.00
Clerical Help for Sheriff.....	900.00
Treasurer, including amount paid by State, \$2,700.00 less State's portion	1,086.68
Clerk to Treasurer	900.00
Auditor, including amount paid by State, \$2,200.00 less State's portion	586.68
Clerk to Auditor	480.00
Attorney	100.00
Coroner	100.00
Janitor to the Court House.....	550.00
Four (4) County Commissioners	500.00

Chairman County Board of Commissioners	1,200.00	
Clerk to County Board of Commissioners	1,800.00	
Magistrates and Constables	1,625.00	
Service Officer (part time).....	900.00	
		\$ 29,478.36
Board of Equalization	\$ 300.00	
Jail expenses, including dieting and transportation of prisoners, fuel, lights, water, and certain medical services, medicines, etc.	2,700.00	
Jurors and Witnesses	2,000.00	
County Poor	4,800.00	
Post Mortems, Inquests and Lunacy	300.00	
Public Buildings, including water, fuel, light, insurance, etc.....	1,000.00	
Printing, postage and stationery..	2,200.00	
County Nurse, salary and operating car	1,700.00	
Office and medical supplies of Health Unit	100.00	
		\$ 15,100.00
Miscellaneous Contingent:		
Bonding County Officers.....	\$ 775.00	
Vital Statistics	265.25	
Telephone and Telegraph.....	500.00	
Special Contingent	6,000.00	
Battery "d" F. A.	300.00	
Headquarters Company F. A....	300.00	
U. S. Naval Reserves	300.00	
Rural Police Commission (2)...	50.00	
		8,490.25
Rural Policemen (1)	\$ 1,500.00	
Auditing County offices	1,750.00	
		3,250.00
GRAND TOTAL		\$ 56,318.61

There shall be levied a special levy of five (5) mills in addition to the levies necessary for the above appropriation.

§ 2. That one of the Deputy Sheriffs shall work on Pawley's Island during the months of June, July and August.

§ 3. That sufficient funds shall be paid by Georgetown County to the Auditor and Treasurer of said County to supplement the State appropriation for these officers to make their total salaries, for the Auditor \$2,200.00 and for the Treasurer \$2,700.00.

§ 4. The Senator and at least one member of the House of Representatives from Georgetown County are hereby authorized and empowered to have a complete and thorough examination of the books and doings of all County officers of Georgetown at least once a year, and if they deem it necessary at any time for the best interest of the County that any office, or offices, should be investigated oftener than the regular annual investigation and auditing, they are hereby authorized, empowered and directed to have same done. They are hereby also authorized, empowered and directed to contract with such certified public accountant, or accountants, as they may deem competent and qualified, at such salary or compensation as they may fix, the same to be paid out of the funds herein appropriated for Miscellaneous Contingent.

§ 5. The special Contingent Fund provided for in this Act shall not be expended except upon the written order of the Senator and at least one member of the House of Representatives of Georgetown County, said order shall specify the amount to be paid, to whom and for what purpose to be used. Upon receipt of such order the Treasurer shall comply with the terms of the order and the order shall be his voucher for such sum paid out; except in such case as the order may direct any part of this fund to be used by the County Commissioners in which case warrants of the County Commissioners shall be used as vouchers.

§ 6. The Board of County Commissioners of Georgetown County are hereby authorized and empowered, and hereby constitute the only officers to borrow any money needed to defray expenses of said County Government, and to execute a note, or notes, to secure such loan, or loans, and are authorized and empowered to pledge the taxes to be collected for the year to pay said note, or notes. The said officials are to obtain as low a rate of interest as they are able to secure. All notes given by the County Board of Commissioners shall be signed by the Chairman and countersigned by the Clerk of said Board: *Provided*, That no loan shall be negotiated or made as herein

authorized without the written consent of the Senator and the members of the House of Representatives from Georgetown County.

§ 7. That necessary medical service for the chaingang and other prisoners shall be provided by the Board of County Commissioners and charged to the proper accounts.

§ 8. The Board of County Commissioners shall employ a janitor for the Court House, and other County officers, and fix his duties. The said janitor shall hold his position and work under the direction of said Board.

§ 9. That all fees, fines and moneys not otherwise provided shall go into the general County Fund.

§ 10. That all County officers herein specified, together with the County Game Warden, shall make a complete report of all fees, fines and moneys received and disbursed by each officer to the Senator and the members of the House of Representatives from Georgetown County for the year ending December 31, 1937; *Provided*, That these reports shall be furnished not later than January 20, 1938, and without further notice. Said reports shall be considered public information to be used for the best interest of the County.

§ 11. The Chairman and Clerk of the Board of County Commissioners shall furnish to the Senator and the members of the House of Representatives from the County a statement of all financial transactions of said Board up to and including the 31st day of December, 1937, giving a statement of each separate item of the appropriation, together with an estimate of what the Board will require for the succeeding year. That all County officers, together with the County Game Warden, shall make a complete report of all fees, fines and moneys received and disbursed by each officer during the fiscal year beginning January 1, 1937, to the Senator and the members of the House of Representatives from Georgetown County: *Provided*, That these reports shall be furnished not later than January 20, 1938, and without further notice. Said reports shall be considered public information, to be used for the best interest of Georgetown County.

§ 12. The Sheriff shall be allowed not more than thirty-five (35¢) per day for dieting prisoners.

§ 13. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 14. This Act shall take effect immediately upon its approval by the Governor.

Approved the 21st day of April, 1937.

(250)

No. 514.

AN ACT to Authorize the Issuance of Negotiable Coupon Bonds by Georgetown High School District, of Georgetown County, to Regulate the Expenditure of the Proceeds and to Provide for the Payment Thereof.

Section 1. Georgetown High School District, Georgetown County, issue bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Trustees of Georgetown High School District, of Georgetown County, as designated and appointed by the County Board of Education of said County, is hereby authorized and empowered to issue negotiable, serial, coupon bonds of said high school district in an amount not to exceed One Hundred Sixty Thousand Dollars (\$160,000.00), but in no event to exceed the constitutional bonding capacity of said high school district as may be determined at the time of issue.

§ 2. Denominations—interest—maturities.—All bonds hereby authorized shall be of such denominations as may be determined by the said Board of Trustees; shall bear interest at any rate fixed by the said Board not in excess of four per centum (4%) per annum, payable semi-annually, and shall mature as the said Board may direct, but the longest term of any bond, or group of bonds, shall not exceed twenty years; *Provided, however,* That payment of any principal of said bonds may be postponed for three years from the date of issue; *Provided, further,* That the amount of issue, as well as the denomination, interest and maturities aforesaid, shall all be subject to the approval or disapproval of the Georgetown County Board of Education.

§ 3. Execution.—Said bonds shall be signed by the Board of Trustees of the said high school district and the corporate seal of said District impressed thereon, but the facsimile signatures of the members of the said Board appearing on all interest coupons by any process used by the printers or engravers thereof shall be a sufficient signing of such coupons.

§ 4. Sale, deposit, disbursement and use of proceeds—contracts.—The said bonds may be sold by the said Board of Trustees at such time and place as it may determine, but after public advertisement thereof, provided par and accrued interest to actual date of delivery thereof be received for same, but said bonds may be sold privately to the United States Government, or any of its agencies, in the event financial aid in building construction is offered

by the United States Government, or any of its agencies. The proceeds of any sale shall be deposited with the Treasurer of Georgetown County to be kept in a separate account and be paid out by him upon the joint orders or warrants of the said high school board of trustees and the Georgetown County Board of Education for the purpose or purposes next below indicated or implied. The construction, alteration, enlargement, repair and/or equipment of any building or structure of any kind, primarily intended for public school purposes susceptible of being used in whole or in part by public school pupils of either junior or senior high school grades—whether so graded or not—together with the payment of necessary incidental expense in connection therewith, are hereby declared to be legitimate functions of said Georgetown High School District for which bond proceeds aforesaid may be expended; *Provided, however,* That all contracts for labor, materials, equipment and/or services in connection with same shall be made by the Georgetown County Board of Education for and on behalf of the said high school district, as now provided by law regulating the public school system in Georgetown County.

§ 5. Contract receive federal aid.—Should any of the bonds authorized hereunder be sold to the United States Government, or any of its agencies, including the Federal Emergency Administration of Public Works, under any plan whereby federal aid is to be secured in the financing of the proposed construction, equipment and incidental expense, then and in that event the said Board of Trustees and the said Board of Education are hereby specifically authorized and empowered, in their discretion, to enter into and fully comply with all the terms and conditions of any agreement and/or bond purchasing contract that may be submitted or required by the United States Government or any of its agencies as a condition precedent to such federal aid, anything in this Act to the contrary notwithstanding; *Provided, however,* That all applications for federal aid in connection with construction and equipment contemplated shall be made by the Georgetown County Board of Education for and on behalf of the said high school district.

§ 6. Payment.—Upon the issuance of any or all of the bonds hereby authorized, the full faith, credit and taxing power of the said high school district shall thereby be irrevocably pledged for the prompt payment of the principal and interest thereon, and it shall be the duty of the officers of said County, charged with the assessment and collection of taxes, forthwith to levy and collect annually an

ad valorem tax upon all the property returned for taxation in said high school district sufficient to pay the principal and interest of said bonds as they mature.

§ 7. **Adopt resolution issue and sell—valid obligations.**—This Act shall be complete authority for the said board of high school trustees to adopt a resolution or resolutions and issue and sell all or any portion of the bonds hereby authorized, either as one issue or from time to time as separate issues, without further formality or prior act or proceeding, except the approval of said County Board of Education, irrespective of any other provision of any general, special or local law and such bonds, when so authorized, issued and sold as aforesaid in substantial compliance with the provisions of this Act shall be binding, legal and enforceable obligations of the said high school district. The only thing necessary to evidence the validity of all or any part of the bonds hereby authorized shall be an appropriate resolution adopted by the said high school Board of trustees and an approving motion or resolution adopted by the said County Board of Education.

§ 8. **Exempt from taxes.**—Bonds issued hereunder shall be exempt from all State, County and municipal taxation.

§ 9. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 10. This Act shall take effect immediately upon its approval by the Governor.

Approved the 3rd day of April, 1937.

(575)

No. 515.

AN ACT to Provide for the Levy of Property Taxes in Greenville County for County, School and Road Purposes, for the Fiscal Year Beginning January 1, 1937, and Ending December 31, 1937, and to Appropriate the Revenues Therefrom and the Income From all Other Available Sources of County Revenue and to Direct and Control the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the County Auditor of Greenville County be, and hereby is directed, to calculate, subject to approval of a majority of the Greenville County Legislative Delegation, the levy upon all taxable property of Greenville County necessary to raise the ap-

appropriations hereinbefore provided for up to the sum equal to the difference between the estimated revenue accruing to the county from indirect and other revenues of like character applicable by law to the general county expenses of Greenville County and the sum total of the appropriations herein provided and for no other purpose whatsoever, such levy not to exceed seven and one-half ($7\frac{1}{2}$) mills upon all the taxable property of the said county, and such revenue therefrom to be expended, if so much be necessary, during the fiscal year commencing January 1, 1937, and ending December 31, 1937.

§ 2. Appropriations:

Item 1. Roads, Bridges and Maintenance
of Supervisor's Office:

Bridges, Lumber, etc.....	23,000.00
Culverts and pipe	7,000.00
Salaries of guards and other hired men	52,500.00
Fuel, Oil, and grease	23,000.00
Upkeep of guards and convicts..	31,000.00
Maintenance of teams and wag- ons	8,200.00
Purchase of live stock, wagons and harness	1,800.00
New machinery and hand tools..	20,000.00
Repairs of County machinery...	14,000.00
Maintaining surface treated roads	5,000.00
Central Camp repairs and con- struction of two portable camps	3,100.00
Miscellaneous	3,000.00

Total Item 1	191,600.00
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Item 2. Maintenance of Public Buildings:

Head Janitor	1,080.00
Two helpers @ \$9.00 per week each	936.00
One woman helper @ \$6.00 per week	312.00
Two elevator operators @ \$60.00 per month each	1,440.00
Light and power	1,500.00
Fuel	700.00

Water	400.00	
Ice	20.00	
Insurance on public buildings....	400.00	
Janitor's supplies	500.00	
Elevator upkeep	288.00	
Clock rental	48.00	
Total Item 2		7,624.00
Item 3. Charities and Corrections:		
County Jail operation including salaries	8,500.00	
County Home operation including salaries	15,000.00	
<i>Provided</i> , the County Home shall be under the management, control and supervision of the County Supervisor.		
Charity Hospitalization—at a rate not to exceed \$2.25 per day...	25,000.00	
Total Item 3.....		48,500.00
Item 4. Court Expenses:		
Operating expense of Court including crier		24,000.00
To provide the following: Bailiffs and Court Criers \$3.30 per day, with the exception of the Chief Bailiff, appointed by the Circuit Judge, who shall be paid \$70.00 per month, beginning March 1, 1937.		
Item 5. Lunacy and Post Mortems:		
Post Mortems (added to duties of County Physician)		
Lunacy	700.00	
Total Item 5		700.00
Item 6. Office Supplies, Equipment and Postage, Etc.:		
Postage for all offices and officials	\$300.00	

Supervisor's office	175.00	
Sheriff's office	350.00	
Clerk's office	400.00	
Probate Judge's office	400.00	
Coroner's office	40.00	
Supt. of Education's office	150.00	
Treasurer's office	270.00	
Master's office	150.00	
Register of Mesne Conveyance..	2,000.00	
Auditor's office	300.00	
Magistrate's office	350.00	
County Court's office	75.00	
Delinquent Tax office	300.00	
Legal advertising, telephone and telegrams	1,600.00	
Charity Investigator's office	100.00	
Circuit Court stenographer	80.00	
County Board of Commissioners.	100.00	
Service officer	100.00	
Juvenile Court	100.00	
Total Item 6		7,840.00
Item 7. Board of Equalization and Elec- tion:		
Equalization Board	750.00	
Election Expense	250.00	
Total Board of Equalization and Election expense		1,000.00
Item 8. County Health Department:		
County Health Physician	2,420.00	
Assistant Health Physician	1,800.00	
Secretary to Physician	1,320.00	
Purchase of 2 trucks (already purchased)	1,839.33	
Travel allowance for gasoline:		
County Health Physician, not ex- ceeding \$20.00 per month.....	240.00	
Assistant Health Physician, not exceeding \$25.00 per month...	300.00	

Sanitary Inspector, not exceeding \$50.00 per month	600.00
(Assistant Health Physician to be recommended by the Greenville Delegation and approved by the State Board of Health)	
Supplies for department.....	250.00
Greer Health Zone	800.00

Total Item 8 9,569.33

Item 9. Salaries and Allowances:

Clerk of Court	2,750.00
First Clerk	1,320.00
Second Clerk	1,200.00

Total Clerk of Court's office	5,270.00
Sheriff	3,300.00
Sheriff's Deputies, 11 @ \$1,650.00 each	18,150.00
Night Clerk	1,200.00
Bookkeeper	1,650.00
Gasoline and Oil, Sheriff and Deputies, not exceeding \$50.00 per month each	7,200.00
Ammunition for Sheriff.....	250.00

Total Sheriff's Office	31,750.00
Treasurer	1,165.42
Bookkeeper	1,320.00
Assistant Bookkeeper	1,320.00
Bond Clerk	1,000.00
Extra Help	360.00

Total Treasurer's office	5,165.42
Auditor	1,165.42
First Clerk	1,320.00
Second Clerk	1,080.00
Third Clerk	880.00
Extra Clerk	720.00

Total Auditor's Office 5,165.42

Register of Mesne Conveyance	
Office	2,750.00
First Clerk	1,100.00
Second Clerk	990.00
Third Clerk	880.00
Fourth Clerk	880.00
Extra Clerk	720.00
Total Register Mesne Conveyance	
Office	7,320.00
Delinquent Tax Collector	1,800.00
Secretary to Collector.....	1,000.00
Assistant Collectors	3,600.00
Allowance for gas: Tax Collec- tor	300.00
Total Delinquent Tax Collector's	
Office	6,700.00
Superintendent of Education....	2,750.00
Assistant Superintendent of Edu- cation	1,560.00
Total Superintendent of Educa- tion's Office	
Supervisor	2,750.00
Clerk to Supervisor	1,650.00
Extra Clerk to Supervisor.....	720.00
Total Supervisor's Office	
Judge of Probate	3,025.00
Clerk to Judge of Probate	1,320.00
Emergency help for Judge of Probate	720.00
Total Judge of Probate's Office.	
Master in Equity	3,300.00
Clerk to Master	1,320.00
Second Clerk to Master	720.00
Total Master's Office	
Judge of County Court	4,400.00
Solicitor of County Court	1,980.00
Stenographer County Court	1,320.00

Stenographer to Solicitor	600.00	
Office Rent, County Solicitor....	264.00	
Total County Court.....	8,564.00	
City Magistrates—2 @ \$1,650.00		
each	3,300.00	
Stenographers for City Magis-		
trates, two @ \$600.00 each...	1,200.00	
Greenville Township Magistrate.	990.00	
Rent Greenville Township Magis-		
trate	120.00	
Bates Township	165.00	
O'Neal Township	137.50	
Glassy Mountain Township....	137.50	
Highland	137.50	
Cleveland Township	137.50	
Paris Mountain Township.....	137.50	
Saluda Township	137.50	
Austin Township	390.00	
Fairview Township	600.00	
Gantt Township	137.50	
Dunklin Township	137.50	
Oaklawn Township	137.50	
Town of Piedmont	470.25	
Grove Township	137.50	
Butler Township	137.50	
Town of Batesville	137.50	
Town of Greer.....	1,500.00	
Rent for Greer Town-		
ship	120.00	1,620.00
Chick Springs Township	247.50	
Fork Shoals	137.50	
Total for Magistrates	10,890.25	
City Constables—2 @ \$1,100.00		
each	2,200.00	
Greenville Township	742.50	
Bates Township	165.00	
O'Neal Township	137.50	
Glassy Mountain Township	137.50	
Highland Township	137.50	

Cleveland Township	137.50
Paris Mountain Township	137.50
Saluda Township	137.50
Austin Township	137.50
Fairview Township	365.75
Gantt Township	137.50
Dunklin Township	137.50
Oakland Township	137.50
Town of Piedmont	365.75
Grove Township	137.50
Butler Township	137.50
Town of Batesville	137.50
Town of Greer	1,100.00
Chick Springs Township	247.50
Fork Shoals	137.50
Total Constables	7,111.50
Social Service Department:	
Charity Investigator	2,280.00
Travel Allowance	600.00
County Nurses, 2 @ \$1,320.00 each	2,640.00
Travel Allowance—2 at not ex- ceeding \$37.50 per month	900.00
Tax Inspector	792.00
County Attorney	1,320.00
County Physician (Includes Post Mortems)	1,300.00
County Coroner	1,500.00
Gas allowance for Coroner, not exceeding \$25.00 per month...	300.00
Stenographer 13th. Judicial Cir- cuit	660.00
Stenographer 13th. Judicial So- licitor	900.00
Farm Demonstration Agent—Sal- ary	660.00
Rent Farm Dem. Agent.	600.00
Stenog. F a r m D e m. Agent	660.00
	1,260.00

Sinking Fund Commissioners, 2	
@ \$220.00	440.00
Home Demonstration Agent,	
white	344.00
Home Demonstration Agent,	
colored	300.00
Greenville County	
Service Officer	2,100.00
Assistant to Service	
Officer	852.00
Travel allowance, post-	
age, office rent, tele-	
phone, etc.	680.00

Total Service Of-	
ficer	3,632.00

Greenville County Dental Clini-	
cian	2,090.00
Supplies for Clinician	200.00
County Dentist	900.00
Juvenile Court:	
Judges Salary	1,500.00
Probation Officer	1,782.00
Travel Allowance Probation Offi-	
cer, not exceeding \$35.00 per	
month	420.00
Assistant Probation Officer	1,080.00
Travel Allowance Assistant Pro-	
bation Officer, not exceeding	
\$35.00 Per month	420.00
Stenographer Clerk	990.00

Total Social Service Department.	29,210.00
Board of County Commissioners..	5,500.00

Total Board of County Commis-	
sioners	5,500.00
Total Salaries and Allowances—	
Item 9	\$142,481.59

Item 10.	Transportation of Prisoners.....	800.00	
	<i>Provided</i> , The Sheriff or any officer transporting a prisoner for Greenville County shall be allowed a maximum expense for such transportation of eight (8¢) cents per mile for one way only.		
	Total Transportation of Prisoners		\$ 800.00
Item 11.	Interest on borrowed money....	5,000.00	
	Total interest on borrowed money		5,000.00
Item 12.	Miscellaneous Contingent:		
	Juvenile Protective Association, to apply on mortgage	1,000.00	
	Maintenance of Greenacre	900.00	
	Vital Statistics	1,000.00	
	Rescue Home and Salvation Army	500.00	
	Bruner Home	2,000.00	
	Premium on Officers Bonds.....	1,600.00	
	Markley Guards	300.00	
	Greer Military Company	150.00	
	Battery "F" Coast Artillery.....	300.00	
	Butler Guards	200.00	
	Airport Maintenance	360.00	
	Mill Deputies, 18 @ \$10.00 each..	2,160.00	
	Taylors Community Deputy from May 1, 1937, at \$50.00 per month	800.00	
	Shelter House, Maternity Hospital	1,400.00	
	South Carolina Industrial Commission:		
	Premium	\$ 87.50	
	Compensation Fund	\$ 2,500.00	2,587.50
	Travel Allowance for D. A. V.'s.	300.00	
	<i>Provided</i> , That not to exceed this amount shall be allowed for the head of the Greenville D. A. V.		

Org., same to be approved by the County Board of Commissioners only upon itemized expenses of the said D. A. V. incurred in the forwarding of the interest of the Disabled American Veterans of Greenville County.

Rent for W. P. A. Offices, Laurens and Main Streets	3,300.00
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Provided, the city of Greenville shall contribute equally to all or any part of the monies used out of this appropriation up to and through January 30, 1938.

National Re-employment Office rent @ \$40.00 per month.	480.00
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Farm Seed Loan Office rent @ \$10.00 per month	120.00
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Sewing Room maintenance	1,000.00
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Secretary of Delegation	300.00
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Emergency Relief Subsidy to un- employables	2,100.00
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Emergency Airport fund and ma- terials for completion of Air- port	15,000.00
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Right of ways White Horse Road	7,200.00
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Provided so much be necessary.

Annual payment of Highway Re- fund	4,964.53
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Horace Wallace Judgment	350.00
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Mrs. A. B. Allen—settled.	500.00
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Payment or Refund of Taxes for Hail Storm Sufferers in Foun- tain Inn and Simpsonville Com- munities	3,500.00
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Provided, claims payable out of this appropriation shall be duly sworn to by the claimants and approved by 2 of the Com-

mitteemen, John McCarter, Mack Littlefield, Walter Rich- ardson and J. H. Drummond, formerly appointed as Commit- tees for said hail storm sufferers.	
Trackless Trolley Roads per dele- gation agreement	3,000.00
Total	57,372.03
Item 13. Contingent Fund	25,000.00
Total Contingent Fund	25,000.00
Item 14. Recapitulation :	
Item 1	191,600.00
Item 2	7,624.00
Item 3	48,500.00
Item 4	24,000.00
Item 5	700.00
Item 6	7,840.00
Item 7	1,000.00
Item 8	9,569.33
Item 9	142,481.59
Item 10	800.00
Item 11	5,000.00
Item 12	57,372.03
Item 13	25,000.00
GRAND TOTAL for all purposes and all Items.	521,486.95
Item 15. Approximate Revenue to be raised by Taxation for purposes of this Supply Bill:	
TOTAL Appropriations	521,486.95
Less anticipated approximate rev- enues for 1937 applicable to 1937 general county purposes, approximately	275,000.00
Approximate Revenue for Gen- eral County purposes to be raised by levy	246,486.95

§ 3. The County Auditor is hereby authorized and directed to levy an additional one (1) mill levy upon all the taxable property within Greenville County, to be collected by the same officers and in the same manner as other State, county and school taxes are now collected, the proceeds from which levy or tax to be used by the County Board of Education for the following purposes: (a) For the payment of non-residential tuition to certain schools in said County, as provided for in the 6-0-1 Law; (b) to carry out the terms of Act No. 995 of the Acts of 1930, known as 'An Act to supplement teachers' salaries of weak school districts in Greenville County.

§ 4. The County Auditor of Greenville County is hereby authorized and directed to levy upon all the taxable property within the limits of Greenville County, an additional 1-½ mills to be collected by the same officers and in the same manner as other State, County, and school taxes are now collected, the proceeds arising from such levy to be used for the maintenance of the Greenville County Tuberculosis Hospital and to be dispensed by the Board of Trustees of said Hospital for the maintenance thereof in accordance with the terms of an Act entitled "An Act providing for the establishment of Public Hospitals or Tuberculosis Camps, etc." and known as Act No. 165 of the Acts of 1925. It is also herein provided that no patient shall be charged any amount of money for the services rendered him or her for the cost of his or her maintenance while a patient in the aforementioned hospital, except for X-ray charges, except as is hereinafter provided. It is also provided herein that every patient admitted to said institution, with the exceptions provided hereafter, shall be adjudged a charity patient by the Greenville County Charity Investigation. *Provided, However,* that the Board of Trustees is hereby directed and empowered to except from the foregoing requirements as to no charges being made and as to no patient being admitted save an adjudged charity patient a total of fifteen (15) beds or patients, which fifteen patients shall be charged a per diem, said charge to be fixed in the discretion of the Board of Trustees of the said Hospital. It is also provided that should fifteen patients not to be found capable of paying the per diem fixed by the Board of Trustees the said Board is hereby empowered to fill the beds made vacant by such inability to find pay patients with charity patients. The Board of Trustees in addition to the power to fix a per diem for certain patients as outlined above

is further empowered to accept donations or partial pay from any and all such patients as may desire voluntarily so to do.

§ 5. All able bodied male persons between the ages of twenty-one (21) and fifty (50) years, both inclusive, residents of Greenville County, shall for the year 1937 pay a commutation road tax of One Dollar and Fifty (\$1.50) Cents, subject to the exemptions, provisions, and penalties prescribed in Act No. 146 and approved February 27, 1917, such road tax to be collected at the same time by the same officers, and in the same manner as other State, county and school taxes are collected.

§ 6. Sub-items or sub-divisions under Section 2, Item 1 of this Act may be diverted to any other sub-item or sub-division under the same item, where such action is found necessary to meet a deficiency in such sub-item or sub-division, such diversion to be made by the County Board of Commissioners and upon and after approval of the Greenville County Legislative Delegation; *Provided*, the total appropriation of Item 1 be not thereby exceeded: *Provided*, also that like diversion in other items under Section 2, may be likewise made where no salary or fixed charge is thereby affected.

§ 7. The appropriations included in this Act shall in no case whatsoever be exceeded by any officer, board, commission, or official intrusted with legal disbursal of funds set up to be expended for general county purposes, except in such cases of unusual or dire emergency as might justify or make necessary additional expenditures to those allotted under this Act. It is further provided that if such emergency or necessity shall arise as to apparently justify the exceeding of any appropriation under this Act, the officer, board or commission, having the right to disbursal of such appropriation, shall first submit to the Board of Commissioners of Greenville County the necessity of emergency in question, which request, if deemed meritorious, shall be transmitted to the Greenville Delegation by the Board of Commissioners, and if acted upon favorably in a regularly called meeting of the Greenville County Delegation by such action shall be deemed a sufficient authorization to such officer, board or commission, to take the steps necessary to cope with the said emergency, subject to such limitations and checks as the delegation, in its actings upon the situation or need in question, may have imposed. *Provided, Further*, that should any such individual, officer, official, board or commission as referred to above, act independently and on his or its own initiative to incur additional ex-

penses than those specifically authorized in this Act or in violation of the above procedure, then such individual, officer, official, board or commission shall be deemed civilly liable at law to the extent of such excess and unauthorized expenditure and it shall be the duty of the county attorney, upon the authorization of the Greenville Delegation, to take immediate Court action in the name of Greenville County, to collect from such official, officer, individual, board or commission, the sum involved in excess of the appropriations authorized in this Act. *Provided, Further*, that it shall be the duty incumbent upon all business firms, individuals, or the like doing business with the officials, officers, board, commissions, etc., having authority to disburse county funds under this Act, to investigate of the County Board of Commissioners, in advance of selling any supplies, services, produce, or the like to such disbursers of county funds as above named, with the view of ascertaining if such funds have been exhausted or exceeded by such disbursers. It is also provided, that any sale, barter, exchange or contracts made by any firm or person with any disbursing agent of Greenville County when such appropriation for any given item of sub-item has been exhausted shall be deemed to be not binding as to any liability imposed thereby against the credit of Greenville County, except in such cases as the Delegation may specifically approve, *Provided*, that the County Board of Commissioners, the Greenville County Delegation first concurring, may and hereby is authorized to reduce the appropriations set forth in this Act proportionately should such be necessary to keep disbursements within receipts or anticipated receipts. Any exceeding of appropriations by any party or parties save in the manner as outlined in this section is hereby declared illegal, invalid, and not binding upon Greenville County in any way whatsoever.

§ 8. In the event that any appropriation set forth in this Act be not fully expended for the purposes assigned, or in accordance with the provisions of Section 6 of this Act, the resulting residue, remainder or excess above needs, shall be placed in the General County Fund to be expended, disposed of or appropriated as a majority of the County Delegation and the Board of Commissioners may direct.

§ 9. The income of Greenville County from all indirect sources whatsoever shall, except in all cases where such income may by law be already allocated, pledged or set aside to some other purpose

or need, be used to supplement and aid the income derived from taxes on real property, so that the appropriations in this Act provided may involve as low a millage on county real estate as possible.

§ 11. It shall be the duty of the Board of Commissioners of Greenville County, as soon after the beginning of each fiscal month as possible to forward to each member of the Greenville Delegation report sheets of the bills paid and expenses incurred during the month immediately preceding in the carrying out of the intent and appropriations of this Act, to the end that each member of the Delegation may be fully and constantly aware of the financial condition and expenditures of the County.

§ 12. It is hereby declared to be the intent of this Act that all salaries set up in this appropriation Act shall be in full for all services rendered, and their acceptance by the party or parties entitled by the law and this Act to them shall be deemed acknowledgement and receipt of full payment for services rendered and a release in full by such party, or parties, of all other claim to compensation against the credit of Greenville County. Any county official who may hereafter accept his salary or payment under protest, shall also immediately inform the Delegation and Board of Commissioners, of his reasons for so doing and his intention in regard to the matter so the Delegation may take appropriate steps.

§ 13. The County Board of Commissioners of Greenville County is hereby charged with the entire custody and control of the Court House building and all appurtenances thereto; they are authorized and directed to allow the Circuit Judge, residing in Greenville, to use such office rooms as may not be needed for the use of the County, as a matter of public convenience. The said Board of Commissioners shall employ the Janitor and two helpers and elevator operator for the public buildings as provided for in Item 2 of Section 2.

§ 14. It is also herein provided that out of Item 4 there shall not be paid exceeding two (2) bailiffs and one (1) Court Crier at any one term of the Common Pleas Court or General Sessions Court; not exceeding one (1) bailiff and one (1) Court Crier for any term of the Greenville County Court, unless the Judge presiding orders more to serve; and it is *Provided, Further*, that the jury child shall be paid from this item, and further that the Court Crier shall act as Bailiff when not otherwise engaged: *Provided, Further*, that the said Bailiffs and Court Criers shall receive not exceeding Three and 30/100 (\$3.30) Dollars each per day for each

days service actually rendered in said Court except the Chief Bailiff, who shall be paid Seventy (\$70.00) Dollars per month.

§ 15. No per diem shall be allowed out of Item 9 and 10 to any salaried officers of Greenville County.

§ 16. The Sheriff, Deputy Sheriffs and all other peace officers except magistrates and constables, shall turn into the County Treasurer, all Federal fees paid to them for attendance upon the Federal Courts, and it shall be the duty of said officers to apprehend escaped convicts and no reward shall be allowed on account thereof.

§ 17. The appropriation listed under Section 2, Item 3, entitled "Charity Hospitalization" \$25,000.00, shall be expended by the Board of County Commissioners of Greenville County for charity patients in hospitals in Greenville County, and shall be paid out upon their approval, based upon such documents, vouchers and evidences of charity obligations as the Charity Investigator may certify to therein as correctly representing the charity expenses chargeable to the County by the hospital providing such charity hospitalization.

§ 18. In accordance with the provisions of Act 1084, approved by the Governor April 7, 1934, requiring a levy of one (1) mill on all the taxable property of Greenville County for the purpose of aiding certain school districts to decrease and eliminate their existing deficits, provided such school districts levy on their own taxable property an additional three (3) mills of taxation, the Auditor of Greenville County is hereby directed to levy such an additional mill on all the taxable property of Greenville County for the fiscal year 1937, the money arising therefrom to be collected by the same officers, at the same time, and in the same manner as other property taxes in this Act are collectible, the general proceeds therefrom to be apportioned according to the provisions of Act No. 1084 of the 1034 Statutes of South Carolina.

§ 19. Item 13, Section 2, entitled "Contingent Fund" of Twenty-seven Thousand, Five Hundred (\$27,500.00) Dollars hereinabove referred to shall be expended in the discretion of and under the direction of the Greenville County Delegation upon claims, demands or petitions previously approved by the County Board of Commissioners and for such purposes as may be prescribed by said Delegation, at regular called meetings duly assembled.

§ 20. The amount hereinabove appropriated as salary for the County Auditor, and County Treasurer are estimates only. The exact

amount to be paid and by this Act appropriated as salary for each of said officers is such amount as equals to one-half of the amount paid by the State to each of said officers respectively. The funds appropriated in Item 12 hereof and designated "Annual Payment of Highway Refund" shall be expended as follows: That is to say, \$1,227.28 thereof, is so much be necessary, to meet the "immediate payment" installments, and \$3,737.25, if so much be necessary, to meet the installments falling due on or by June 1, 1937, as provided for in an Act of the General Assembly of 1936, known as Act 1178, and as ordered to be paid by Decrees of the Court passed in the case of F. A. Lawton, H. C. Beattie, et al, vs. Greenville County, the case of W. P. Conyers and T. C. Gower, doing business as Conyers & Gower, et al, vs. Greenville County, and the case of J. L. Hawkins, B. F. Reese, et al, vs. Greenville County.

§ 21. That the compensation of each member of the Township Board of Assessors and of the Equalization Board is hereby fixed at the sum of Two Dollars and Fifty (\$2.50) Cents per day for each day in actual attendance upon their duties, said compensation, together with each member's mileage, to be paid out of Item 7, Section 2, The Greenville Township Board of Assessors is hereby authorized to employ a clerk to said Board, compensation for such clerk to be paid out of the funds provided by Item 7: *Provided*, that expenditures by the Township Board of Assessors and of the Equalization Board shall be upon claims approved by the County Chairman of the Board of Assessors of claims arising from services and transactions of said Boards and by the County Chairman of the Board of Equalization for claims arising from services and transactions of said Board of Equalization.

§ 22. That, from and after the approval of this Act by the Governor, the purchase of any equipment, materials, supplies, goods, wares or merchandise, or for anything whatsoever needed and used for County purposes, or for any expenditure of monies of and for any Department of Greenville County, shall be made and done by the active managing Department Head or Officer of the Department needing such supplies or services, subject to the approval of the County Board of Commissioners of Greenville County. All purchases and expenditures shall be made after due advertisement for bids in at least two issues of some newspaper of general circulation in Greenville County, giving reasonable notice and asking for bids for such equipment, materials, supplies, goods, wares, services or merchan-

dise, as may be needed, and the order or orders shall be placed with the lowest responsible bidder, but such department head or officer may reject any or all bids. *Provided*, that when a majority of the Board of County Commissioners of Greenville County shall deem it to the best interest of the County and shall so state in writing, such purchases or placing of orders may be done by the various Department heads or officers of Greenville County at private sale. *Provided, Further*, that, when such purchasing or placing of orders are made, the goods, wares, merchandise, services, or food stuffs needed shall be purchased from firms or individuals within Greenville County whenever such firms or individuals are reliable and offer goods, equipment, food stuffs, or services of equal quality, specification, etc., with like goods of bidders outside of Greenville County and at a price equal to or less than the price submitted by such non-Greenville County bidders: *Provided, Further*, that the Supervisor of Greenville County shall not be required, in the purchase of machinery, to accept the lowest bid, but may exercise his discretion in the purchase of all machinery. *Provided, Further*, that, whenever any dispute arises between said Department Heads or officers and the County Board of Commissioners as to any proposed expenditures, the Greenville County Legislative Delegation may, upon the matter being brought before it, direct what shall be done and the Delegation's written authority shall be sufficient for the proposed expenditure to be made or refused, subject to the condition that there shall thereby be made no increase in the appropriations as provided in this Act, and further subject to the condition that there shall thereby be made no transfer of funds from one Department to another Department.

Amend said printed Bill by inserting between Sections 22 and 23 a new Section to be known and designated as Section 22A, as follows: It shall be the duty of the County Board of Commissioners and/or each and every Department Head or officer in Greenville County to furnish the County Supervisor with a record supporting each claim to be approved or each warrant to be signed by the County Supervisor, showing thereon the purpose and authority for each expenditure made, to the end that the said Supervisor may have records in his possession justifying claims and warrants approved and signed by him.

Provided, That the Supervisor shall purchase all supplies for his office, the bids to be submitted in duplicate, one copy to the Super-

visor's office, the other copy to the office of the County Board of Commissioners: and *Provided, Further*, That the Supervisor shall not be required in the purchase of machinery to accept the lowest bid but may exercise his discretion in the purchase of all machinery.

§ 23. The Supervisor of Greenville County is hereby forbidden to expend, or contract to expend, in any one quarter of the year, computing from January 1st, more than one-fourth of the total amount appropriated for any one of the eight sub-divisions of Item 1, Section 2, except Sub-division entitled 'New Machinery', which subdivision may be expended by him as he may deem to the best advantage of his department without restriction as to time or expenditure. If in the carrying out of the limitations imposed upon the Supervisor in this Section, it should develop that an unexpended portion of any subdivision under Item 1 remains for any one quarter of the year, the same may be added to the amount authorized to be expended for the same purpose during the next or subsequent ensuing periods. The periodic allowances above designated shall not, however, be exceeded for any period, and any contract providing for the expenditure of any sum in excess of the periodic allowances above envisioned shall not be binding upon Greenville County and it is expressly provided that any firm, person, or corporation contracting in any manner with the County is charged with the duty of ascertaining whether or not the expenditure of any sums contemplated by any contract shall be in excess of such periodic allowances. It is provided, however, that the requirements of this Section as to the periodic expenditures may be dispensed with upon the written approval of the County Board of Commissioners, and upon prior approval of the Greenville County Legislative Delegation. It is further provided that the sum of Three Thousand (\$3,000.00) Dollars carried in Section 2, sub-division of Item 1, entitled 'Miscellaneous Fund', shall be expended by the Supervisor, upon the written approval of the County Board of Commissioners to supplement any of the sub-divisions under Item 1. The foremen of the county road forces shall be paid at the rate of not exceeding One Hundred and Ten (\$110.00) Dollars per month; the tractor drivers at the rate of not exceeding Eighty-two and 50/100 (\$82.50) Dollars per month and day guards at the rate of not Eighty-two and 50/100 (\$82.50) Dollars per month, and night guards at the rate of not exceeding Sixty-six (\$66.00) Dollars per month; *Provided, Further*, that no outside man shall receive in excess of One Hundred and Ten

(\$110.00) Dollars per month. It is further herein provided that the Supervisor shall as soon as practicable after the enactment of this Act, if not already made, make an inventory of all county supplies, machinery, and other county property under the control of and used by his office as of January 1, 1937, and file same with the Board of County Commissioners. The Board of County Commissioners is hereby directed to withhold the salary of the Supervisor in the event of his non-compliance after a reasonable period of time with the provisions of this Section.

§ 24. It is hereby required of each and every responsible official of Greenville County in addition to the Supervisor, having any public property of the County under his supervision to make, if not already made, an inventory of all such property as of January 1, 1937, and file the same with the County Board of Commissioners to the end that an accurate record may be compiled and kept and knowledge may be obtained by the Delegation of all property belonging to the County of Greenville by whosoever held. The Board of Commissioners is further directed to withhold the salaries of any such responsible County Official who may refuse to comply with the provisions of this Section after a reasonable time has been allowed them to compile the information herein required.

§ 25. It is hereby provided that the Supervisor of Greenville County shall, from the date of the Governor's approval of this Act, until the end of the fiscal year of 1937, make no purchase of any trousers or shirts for the convicts under his supervision and control except such said trousers and shirts be of the striped variety commonly employed as convict clothing or else in lieu of stripes of a distinctive color marked both on the chest and back of each shirt with a prominent number, which type of these two to be used to be left to the discretion of the Supervisor. The Board of Commissioners of Greenville County are instructed and directed to honor no claims by the Supervisor for convict clothing after the passage of this Act that shall not conform to the requirements of this Section.

§ 26. The County Physician, in addition to the duties now performed by him, shall, for the compensation provided in Item 9 thereof, make post mortem examinations, when directed so to do by the Coroner of Greenville County, and no additional expense for post mortem examinations shall be incurred by the Coroner whatsoever.

§ 27. It is hereby provided that the Greenville County Dental Clinician provided for in Section 2, Item 9, sub-division entitled

'Miscellaneous Salaries, Officers and Allowances' shall turn in to the County Superintendent of Education and to the County Board of Commissioners a monthly report of the schools visited by him, treatments administered, educational materials distributed and the like, during the said month to the school children of the County. It is herein further provided that the Board of Commissioners shall withhold approval of any salary claim presented by said Clinician following his failure to submit either of said reports above required until such time as he shall present them as above required. *Provided*, that the County Superintendent of Education shall as soon after the passage of this Act as possible arrange a schedule of itinerary of all the schools of Greenville County and give same to said Clinician, which itinerary he must follow or suffer the penalty of having his salary refused by the Board of Commissioners for failure to perform this duty hereby placed upon him. The Board of Commissioners is also hereby instructed to hold up the salary claim of the County Superintendent of Education until he arranges such itinerary. *Provided, Further*, that before the Dental Clinician shall submit his monthly report herein required, he shall have same signed by the principal or superintendent of each school visited and for which a report is made. In the absence of such signatures herein required said Clinician shall have his pay held up pending the securing of such signatures as herein required.

§ 27 a. The County Dentist shall do and perform the dental work for persons confined at the County Jail and for persons confined on the County chaingangs; shall do and perform the dental work of the inmates of the County Home and of the patients at the Tuberculosis Hospital. The County Dentist shall turn in to the County Supervisor and to the County Board of Commissioners, a monthly report of the work done by him during the said month. *Provided*, That before the County Dentist shall submit his monthly reports herein required, he shall have same signed by the officials or heads of the departments and institutions hereinabove enumerated.

§ 28. The item heretofore carried in the Greenville County yearly Appropriation Act and designated "Pauper Burials" is intentionally omitted from the specific items covered by this Act, and such pauper burials as the county may during this fiscal year be compelled to bear the expense of are chargeable to the "General Contingent Fund" up to a sum not exceeding Eighteen (\$18.00) Dollars each. It is herein further provided that the Charity Investigator shall as

soon as possible investigate such cases of alleged pauper deaths as the undertaker or undertakers and/or family or nearest relative of the deceased may report to him. If said Investigator, upon such investigation, find the case in question meritorious of burial aid, he shall so inform the Board of Commissioners and they shall honor the burial claim to the extent of the amount above named, if so much be needed. If the Investigator finds the case involved lacks such merit the Board of Commissioners is hereby instructed not to honor it as a charge against the said Contingent Fund.

§ 29. It is hereby provided that should the State by legislative action deprive or take from Greenville County or the counties of the State as a whole all or a portion of any indirect revenues now accruing to Greenville County, that the Greenville Legislative Delegation with the written consent of the Board of Commissioners may instruct the Auditor of Greenville County to levy upon all the taxable property of the county such additional millage as may be necessary to make up the loss in revenue suffered by Greenville County as a result of such aforementioned legislative action. It is hereby expressly stated, however, that should such action not be taken, this section shall be inoperative and void and Section 1 of this Act shall remain unimpaired in all its particulars.

§ 31. Should any part or Section of this Act be invalidated by Court decision on the ground of illegality or unconstitutionality such decision shall render invalid and inoperative only such portion or portions of this Act as may be specifically so invalidated, the remainder to continue in full force and effect.

§ 32. The Auditor is hereby instructed to levy upon all the taxable property of Greenville County an additional one (1) mill to be collected by the same officials and at the same time as other taxes authorized to be levied in this Act, the proceeds from which are to be used for the purpose of surface treating as many miles of Greenville County roads, to be designated by the Greenville County Delegation, as feasible. Provided the number of miles designated shall not exceed an expenditure of more money than provided for by this levy. *Provided*, In event a bond issue is floated by Greenville County for general county-wide road purposes, the Auditor is hereby authorized not to make the above levy for this year.

§ 33. There is hereby appropriated for the County Attorneys as extra compensation for their services in the several suits against the County for fees and salaries, and any other matters not anticipated

in their employment, such amount or amounts as may be fixed by a Judge of the Court of Common Pleas upon application to the Court as may be made hereafter by said County Attorneys; such amount or amounts so fixed by the Court to be paid out of the contingent fund of the County, at such time or times as the Court may order, upon warrants in the same manner as provided for the payment of salaries of the public officers of the County.

§ 34. Provided the amended appropriation in Section 2, Item 9 for gasoline allowance shall be expended by the Sheriff and the eleven (11) deputies at a rate not to exceed Fifty (\$50.00) Dollars per month each.

§ 34-A. Delegation action by the Greenville County Legislative Delegation of the General Assembly of South Carolina shall be in a meeting duly called and duly assembled and by a vote of the Senator of said Delegation and by a vote of a majority of the House members of the said Delegation.

§ 34-B. That the appropriation of \$800.00 in Section 2, Item 12, line 304-a be paid at the rate of \$50.00 per month from May 1, 1937, *Provided*, the Taylors Community pay a like sum of \$50.00 per month to said Constable and furnish said Constable with a uniform or uniforms, *Provided, Further*, that the Sheriff of Greenville County shall commission said Constable as a deputy sheriff and said deputy shall have and exercise the usual powers and authority of deputy sheriffs, but shall devote his time, insofar as is practicable, to said community.

§ 35. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 36. This Act shall take effect upon its approval by the Governor.

Approved the 14th day of May, 1937.

(390)

No. 516.

AN ACT to Create a Committee to Investigate and Report Upon the Public Activities of the Public Officers of Greenville County and of All Matters Directly or Indirectly Connected Therewith; to Confer Authority, to Subpoena Witnesses; to Take Testimony and to Provide for the Expenses Thereof.

Section 1. Committee investigate public activities of public officers, Greenville County—appointment—powers and duties—appropriation—officers cooperate.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby created a committee to be composed of three (3) men, all to be citizens of Greenville County who shall be engaged in either business or professional life within the said Greenville County. The three (3) members to be selected as follows: One to be recommended by the Resident Judge of the Greenville County Court and approved by a majority of the House Delegation and the Senator from Greenville County. The other two to be recommended by the County Attorney and the Master in Equity for Greenville County, respectively, and to be approved by a majority of the House Delegation and the Senator from Greenville County. In case of disapproval in any way of any person so recommended, the recommendations shall continue as stated above until the three members serving shall have been recommended as follows: One by the County Judge, one by the County Attorney and one by the Master in Equity for Greenville County. The Committee as selected shall elect its own Chairman who shall preside at all hearings and the Committee shall act by a majority vote. It is made the duty of this Committee to investigate and report upon the present and past public activities of the public officers of Greenville County and of all matters directly or indirectly related thereto or connected therewith. To that end, power and authority are hereby conferred upon the Committee to subpoena witnesses, compel the attendance of same, compel the production of public and private records, take testimony and punish for contempt, and in all such matters the Committee shall have the same power and authority as are now exercised by Judges of the Circuit Court in this State. Each and every official of Greenville County is hereby required upon notice from the said Committee to produce such records before it as it may wish to inspect and to testify before the Committee, and in addition to this, to make a report of any matter touching the administration of duties of the office held by him to the Committee as may be requested by it. It shall be the duty of the Committee to make a report of its findings to the Legislative Delegation from Greenville County and to the General Assembly of South Carolina not later than January 15, 1938. The Committee is given the power to appoint a stenographer to take the testimony of witnesses and keep the minutes of the sessions of the Committee. For the purpose of paying

the per diem and mileage of witnesses and other necessary expenses, the sum of One Thousand (\$1,000.00) Dollars is hereby appropriated out of the Treasury of Greenville County, if so much be necessary. The Committee shall determine the compensation of the stenographer, and witnesses shall be paid the per diem and mileage now provided for attendance upon the Court of General Sessions in Greenville County. Any other necessary and incidental expense shall be paid out of the sum so appropriated, *Provided*, That no part of this appropriation shall be paid to any member of the Committee as compensation for his services. In the event that it becomes necessary for the Committee to undergo travel expense either within or without the County of Greenville in the performance of its duties, the same may be paid at the rate now provided by law for State officers. It is hereby made the duty of the Sheriff, Deputies and other Peace Officers of Greenville County to serve any process issued by the Committee without compensation therefor; *Provided, Further*, That the said committee shall render no report without a concurrence of the majority of the committee; *Provided, Further*, That the said committee shall have no authority to inquire into or require information concerning the records of or the legal and official acts of the solicitor of the 13th. judicial circuit and of the grand jury of Greenville County.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(85)

No. 517.

AN ACT to Authorize the Trustees of Pepper School District No. 4-F of Greenville County to Borrow a Certain Sum of Money from the State Sinking Fund Commission to Repair School Building and to Provide for the Retirement of Same.

Section 1. Pepper School District No. 4-F, Greenville County, borrow repair school building.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Pepper School District No. 4-F in Greenville County, be, and they are hereby authorized and empowered to borrow from the Sinking Fund Com-

mission of South Carolina or from such other source as may be available, for the purpose of repairing school building in said District, together with the cost of such loan, the amount of Twelve Hundred and Fifty and 00/100 (\$1250.00) Dollars. The proceeds of the loan herein authorized shall be used for no purpose other than herein stipulated.

§ 2. Issue notes.—That the Trustees of the said School District set out in Section 1 of this Act, are authorized and empowered to borrow the money provided for in said Section and to secure the payment of same by as many notes as may be deemed best by the Trustees, maturing at such times, not exceeding five (5) years from date of issuance as may be deemed advisable by said Trustees and bearing such rate of interest as may be agreed upon, not exceeding six (6%) per cent per annum. *Provided*, That said Trustees shall have the right to anticipate any part or all of said indebtedness prior to the date of maturity.

§ 3. Revenue use pay.—There is hereby pledged for the payment of such notes as may be issued under the provisions of this Act, any past due school taxes which may hereafter be collected in said District which shall be set aside by the Treasurer of Greenville County as a special fund to the credit of the said District, which, together with any current school revenue available in the said District for such purpose, shall be applied to the payment of said notes with the interest due thereon, according to the terms of said notes.

§ 4. Payment.—That the Trustees of the said School District shall certify to the Auditor of Greenville County the amount borrowed and the amount necessary to retire said loan and to pay the interest on same, and the Auditor shall place a levy upon all of the taxable property in said District annually sufficient to retire said notes and the interest thereon according to the terms of said notes, and the Treasurer of Greenville County shall collect the taxes so levied, keeping the funds separate from other funds and apply same to the retirement of said notes as they mature.

§ 5. Pledge pay.—That the full faith, credit and taxing power of the said District is hereby irrevocably pledged for the payment of the notes herein authorized, together with the interest on same as they mature; and when the entire amount borrowed by the said District shall be paid in full, such levy as authorized in this Act shall no longer be levied and collected.

§ 6. That all Acts or parts of Acts inconsistent herewith be, and the same are hereby repealed.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(435)

No. 518.

AN ACT to Provide for the Borrowing of Fifty Thousand (\$50,000.00) Dollars by Greenville County and the Issuance of a Note or Notes Therefor, the Proceeds of Said Loan to be Used in Making Loans by Said County upon Certain Terms and Conditions to School Districts in Said County; to Provide for the Repayment of Said Loans by Said School Districts and the Repayment of the Loan Made to Said County; to Set up a Revolving Fund for the Purpose of Making Loans to the Said School Districts; to Provide for an Annual Levy, the Proceeds of Which to be Used in the Payment of Loan Made to Said County.

Section 1. Greenville County borrow—issue notes.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Commissioners of Greenville County is hereby authorized and directed to borrow in the name of Greenville County Fifty Thousand (\$50,000.00) Dollars, or so much thereof as it deems necessary to carry out the provisions of this Act. That, in borrowing said money, said Board may issue a note or notes evidencing same upon such terms and conditions, and maturing at such time or times as it deems advisable. It shall have power to renew said notes from time to time as same become due. That such notes issued in the name of said County shall be and constitute valid and binding obligations of said County, and the full faith, credit and taxing power of said County are hereby irrevocably pledged for the payment thereof, together with any interest thereon.

§ 2. Payment.—That the Auditor of said County is hereby authorized and directed to annually levy one-fourth of a mill on each dollar of the taxable property of said County, and the Treasurer of said County is authorized to collect same in like manner as other taxes are collected, the proceeds of which shall be used in liquidating the loan or loans authorized in Section 1 above. The said levy shall

continue annually until said loan or loans, and interest thereon, shall have been paid in full through the application of the proceeds of such levy and/or the application of any other funds that may be provided for the payment of same.

§ 3. Lend proceeds to school districts.—That the money herein authorized to be borrowed by said County shall be used by said County in making loans, without interest thereon before or after maturity, to School Districts in said County, and, in making such loans to such School Districts, the said Board shall receive as evidence thereof notes executed by the Trustees of the School District to which such loan is made, and such notes shall be upon such terms and conditions as said Board deems advisable. That no loan shall be made to any School District unless at the time of the making of such loan such School District shall have a bonded indebtedness equal to the maximum amount permitted by the Constitution of this State. That the aggregate amount loaned to any School District under the provisions of this Act shall not exceed Twenty Thousand (\$20,000.00) Dollars; *Provided*, That no loan shall be made to any School District under the provisions of this Act unless the County Board of Education of said County certifies in writing that in its opinion the making of such loan is to the best interest of said School District. That the funds borrowed by said School District shall be used for any proper school purposes.

§ 4. Payment of loans by school districts.—That the tax levy for the payment of bonds and interest thereon of any School District in said County availing itself of the provisions of this Act shall not be increased or decreased during the time that such School District is indebted to said County under the provisions of this Act. That, whenever the money derived by such School District from the said tax levy shall be in excess of that necessary to meet its bonded obligations, then such excess shall be paid by the School District to the County of Greenville as payment on such loan or loans made to such School District. That any loan made to any School District under the provisions of this Act shall be paid by such School District to the County as above provided, and in no other way.

§ 5. Establish revolving fund.—That all funds paid by the borrowing School District under the provisions of this Act shall be set aside as a Revolving Fund, which from time to time shall

be used in like manner as herein provided for the use of the said Fifty Thousand (\$50,000.00) Dollars.

§ 6. **Invalidity.**—If any clause or sentence of this Act be held unconstitutional, such shall not affect any other clause or sentence thereof.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(670)

No. 519.

AN ACT to Authorize and Empower the County of Greenville to Issue Bonds or Other Evidences of Indebtedness in the Sum Not Exceeding Three Hundred Fifty Thousand (\$350,000.00) Dollars and Accrued Interest, For the Purpose of Road Construction and to Empower Certain Officers to Apply for, Receive and Expend in Connection with the Proceeds of Said Loan Such Sums as May be Available from the Federal Government or any Agency or Department Thereof and to Provide for the Retirement of Such Obligations.

Section 1. Greenville County issue bonds for road and bridge construction.—Be it enacted by the General Assembly of the State of South Carolina: The Board of County Commissioners of Greenville County, in the State of South Carolina, is hereby authorized to issue and sell serial bonds of Greenville County in the name of Greenville County, in the principal sum of not exceeding Three Hundred Fifty Thousand (\$350,000.00) Dollars, on conditions herein set forth for the purpose of providing funds to finance and/or assist in financing the construction and surface treatment or reconstruction and surface treatment and improvement of certain roads and bridges within Greenville County.

§ 2. **Sale—time call for payment.**—The bonds shall be sold by the said Board of County Commissioners of Greenville County for not less than par and accrued interest upon sealed bids after publication of notice of sale in not less than three (3) issues of a newspaper having general circulation in Greenville County, the last of which issue shall appear not more than thirty (30) days nor less

than fifteen (15) days before the sale or sales. The award shall be made to the bidder offering the most advantageous terms to Greenville County, but the right is given to the Board of County Commissioners to reject any and all bids and to re-advertise for sale the said issue or any portion thereof. The bonds may be sold and delivered in one lump sum, or may be sold in a lump sum and delivered in installments, or may be sold and delivered in installments according to such instructions in writing with respect thereto, as may be fixed with the County Board of Commissioners by the Legislative Delegation of Greenville County and the certificate of the Board of County Commissioners as to the instructions filed with it, or the sale and delivery of the bonds in any such manner by it, shall be conclusive evidence that the instructions were given, as stated in the certificate, and, in case of sale and delivery, that its acts in respect thereto were done in pursuance of and according to such instructions. Whether sold in one lump sum or sold and delivered in installments, or delivered in installments, the bonds shall bear such dates as may be determined upon by the Board of County Commissioners. The said Board is authorized and directed to offer the bonds for sale with the right reserved to call the bonds for payment at any time after five (5) years from the date thereof, upon not less than three months notice thereof and without such privilege to call for payment and is empowered to issue and sell the bonds under either of said conditions or to issue and sell a portion thereof under one and a portion under the other, as it may determine is most advantageous to Greenville County.

§ 3. Maturities—denominations—interest.—The bonds shall mature serially over a period of not less than fifteen (15), nor more than Twenty (20) years from the dates thereof, the first bond shall mature in not more than three years from date of issue and shall be issued in such form and denominations as the Board of County Commissioners may determine. They shall bear such rate of interest not to exceed four (4) per cent per annum and the interest shall be payable annually or semi-annually, as shall be fixed and determined upon by the Board of County Commissioners.

§ 4. Place pay—register—execution.—The principal and interest of the bonds may be made payable within or without the State of South Carolina, and in such medium of payment as may be indicated on the face of the bonds. The bonds shall be issued as coupon bonds, payable to bearer, but may be issued with the

privilege to the holder of having them registered as to principal on the books of the County Treasurer and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer) upon such conditions as the said Board of County Commissioners may prescribe. The bonds shall be signed by the Chairman of the Board of County Commissioners and the County Treasurer and the seal of the County Treasurer shall be affixed to or impressed upon each bond, but the coupons of such bonds need not be authenticated otherwise than by a facsimile signature of the Chairman of the Board of County Commissioners in office on the date of said bonds.

§ 5. Payment.—The full faith, credit and taxing power of Greenville County are hereby irrevocably pledged for the prompt payment of the principal and interest of said bonds, or other evidence of indebtedness as the same, respectively, mature. The County Auditor of Greenville County is hereby authorized and directed to levy, and the Treasurer to collect annually a tax on all the taxable property of said county sufficient to pay the principal and interest, as they respectively become due, and the Treasurer is directed to apply the said tax to such purposes.

§ 6. Delivery—tax exempt.—The delivery of the bonds, or other obligations, issued pursuant to the terms of this Act shall be valid notwithstanding any change in officers or seal occurring after execution and before delivery and all such bonds or obligations are hereby exempt from the payment of State, County, School and Municipal taxes.

§ 7. Borrow from United States or agency thereof—apply for grants.—The Board of County Commissioners of Greenville County, in the name of Greenville County, is hereby authorized and empowered to borrow from the United States Government, or any agency thereof, such sum or sums of money not exceeding Three Hundred and Fifty Thousand (\$350,000.00) Dollars, excluding interest thereon, the proceeds thereof to be used for any one or more of the purposes above mentioned, and to apply to the United States Government, or to any agency thereof, for a grant, or grants of such sum or sums of money as may be available and to receive the same and to use the same to supplement the funds otherwise herein authorized to be borrowed to assist in defraying the expenses of the aforesaid public improvements. The application for a grant of funds from the Federal Government, or any agency there-

of, as well as the terms under which any loan may be obtained from the Federal Government, or any agency thereof, may be made to conform to any Act of Congress or regulation promulgated by any department of the United States Government, or any agency thereof, having power and jurisdiction in the premises, and any provision or provisions of this Act inconsistent with any such Act of Congress, or any regulation promulgated by any duly authorized agency, are hereby declared inoperative under such circumstances. The Board of County Commissioners of Greenville County is authorized and empowered to execute and deliver such evidences of indebtedness and on such terms and conditions as may be stipulated in the offer of the Government, or any agency thereof; *Provided*, that this section shall not limit the power of the Board of County Commissioners to sell the bonds authorized by this Act to any person, firm, corporation or banking institution.

§ 8. Legislative delegation defined.—Wherever it is provided herein that any Act shall or may be done by the Legislative Delegation of Greenville County, the term 'Legislative Delegation' shall be construed to mean a majority of the members of the House of Representatives and the Senator from Greenville County in the General Assembly.

§ 9. Deposit and disbursement of funds.—The funds derived from the sale of bonds and/or the execution and delivery of any evidence, or evidences, of indebtedness, as authorized herein, shall be deposited with the Treasurer of Greenville County as a special road bond fund and shall be disbursed in the manner provided by law for other county funds. Likewise, the Treasurer is authorized to accept and receive any grant, as authorized herein, and to disburse the same on such conditions as may be attached thereto.

§ 10. Enter into road building programs—contracts.—That Greenville County through and by its Supervisor be, and it is hereby authorized and empowered to enter into any road building or road improvement program with the United States Government, or any department thereof, or with the State Highway Department of South Carolina and the United States Government, or any department thereof, in keeping with the purposes of this Act and pursuant to the laws and regulations now in force or hereafter enacted or promulgated by said Government or departments having power and jurisdiction in the premises. Any provision or provisions of this Act inconsistent with any such Act of Congress or any regulations

promulgated by any duly authorized agency are hereby declared inoperative under such circumstances. *Provided, However,* That Greenville County's obligation, or obligations, shall not exceed the sum of Three Hundred Fifty Thousand (\$350,000.00) Dollars and accrued interest, under the provisions of this Act. That the awarding of all contracts in the construction, re-construction and surfacing of said roads shall be by the Supervisor of said County of Greenville.

§ 11. Roads construct.—The designation of the roads for construction and improvement, or re-construction and improvement under the terms of this Act, or the designation of such roads in conjunction with the State Highway Department, or the State Highway Department and the United States Government, or any department thereof, as the circumstances require, or imply, under the provisions of this Act, shall be by the Greenville County Legislative Delegation in the General Assembly. The designation of roads for construction or improvement under the terms of this Act shall be done so that all sections of the County shall be treated fairly, and the benefits of the expenditures herein provided for, in so far as may be practicable, spread over the various sections of the County.

§ 12. Do work upon contractual basis—letting of contracts—engineer.—The preparation, improvement, grading, construction and /or surface treatment of all roads under the provisions of this Act, shall be done upon a contractual basis. The contract, or contracts to be let to the lowest responsible bidder, or bidders, by the Supervisor of Greenville County, after due advertisement for bids in at least three issues of a newspaper of general circulation in Greenville County, the first advertisement to be run at least fifteen (15) days prior to the opening of the bids, and upon approval of said contract or contracts by the County Attorney; *Provided,* That all bids shall be filed in duplicate, one copy with said Supervisor, the other copy with the County Board of Commissioners of Greenville County. The said Supervisor of Greenville County may reject any or all bids and readvertise for other and further bids and/or the said County Board of Commissioners of Greenville County may reject any and all bids and, in such event, the Supervisor shall readvertise for other and further bids; and all things being equal, preference to be given to local contractors. The Supervisor of Greenville County shall employ the County Engineer with the approval of the Greenville County Legislative Delegation at a salary not in excess of Two Hun-

dred Twenty Five (\$225.00) Dollars per month and expenses, which salary shall be paid from funds provided in this Act and whose duties shall be those usually required of an engineer in a road and bridge building program such as is hereinabove provided for.

§ 13. Payments to contractors.—Payment or payments to the successful bidders under Section 13 of this Act, shall be made in the manner provided by law for other county funds, after the filing of a report by the County Engineer, approving the construction, re-construction and improvement of said roads, and after approval of itemized claims therefor by the Supervisor of Greenville County and the Board of County Commissioners of Greenville County.

§ 14. Condemned bridges—funds use replace or reconstruct.—Out of the Three Hundred Fifty Thousand (\$350,000.00) Dollars hereinabove provided for, the sum of Twenty Five Thousand (\$25,000.00) Dollars shall be used by the Supervisor of Greenville County in re-constructing condemned bridges in Greenville County, or in constructing bridges in place of such condemned bridges as the conditions of each such condemned bridge may require, and within the discretion of the Supervisor.

§ 15. Bidders furnish bonds.—The said Supervisor of Greenville County is hereby directed, before entering into any contract or contracts, to require the successful bidder, or bidders to post good and sufficient bond in whatever amount, in the discretion of the said Supervisor, deemed necessary to adequately protect Greenville County under any and all provisions of said contract or contracts.

§ 16. Bonds valid obligations.—The purchaser or purchasers of the obligations issued pursuant to the terms of this Act are not chargeable with the provisions thereof relating to the expenditure of the funds so provided but all such bonds or other obligations, when delivered, are declared to be valid and binding obligations of Greenville County from the date of delivery.

§ 17. Invalidity.—If any portion of this Act is held to be invalid for any reason by a Court of competent jurisdiction, such holding shall not affect, impair or invalidate the remaining portions thereof and it is declared that such remaining portions would have been enacted without such portions as may be held to be invalid.

§ 18. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(553)

No. 520.

AN ACT to Refund to Cherry Investment Company, a Corporation of South Carolina, the Sum of One Hundred Thirty-four and 90/100 Dollars (\$134.90) County and School District Taxes Overpaid for the Years 1931, 1932, and 1933 Inclusive.

Section 1. Tax refund to Cherry Investment Company by Greenville County.—Be it enacted by the General Assembly of the State of South Carolina: That the County Treasurer of Greenville be, and he is, hereby authorized, directed and empowered to repay to Cherry Investment Company, a corporation of South Carolina, the sum of One Hundred Thirty-four and 90/100 (\$134.90) Dollars, county and school district taxes overpaid by it for the year 1931, 1932, and 1933.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 13th day of May, 1937.

(417)

No. 521.

AN ACT to Provide for an Election on the Questions of Whether the Aldermen of the City of Greenville, South Carolina, Shall be Elected by the Qualified Electors of the Individual Wards or by a Popular Vote of the City; and Whether the City Recorder Shall be Elected by a Popular Vote or by City Council.

Section 1. Vote on manner of electing aldermen and recorder, city of Greenville—time.—Be it enacted by the General Assembly of the State of South Carolina, That during the City election of 1937 in the City of Greenville, South Carolina, there shall be submitted to the qualified electors of Greenville City the question of whether the Aldermen of said City shall be elected by the qualified electors of the city at large or by the electors from each ward separately. And also the question of whether the Recorder for the said City of Greenville shall be elected by a popular vote of the qualified electors or by the City Council.

§ 2. **Boxes.**—The Executive Committee of the City of Greenville is hereby authorized and directed to prepare separate boxes to be used in holding said election.

§ 3. **Ballots.**—The Executive Committee of the City of Greenville shall have prepared a sufficient number of ballots to be used in holding said election. Upon said ballot shall be written or printed substantially as follows: "Shall each city ward elect its own Alderman—Yes— No"; Those voting in favor of each ward electing its own Alderman shall scratch the word "No" and those voting in favor of Aldermen being elected from the City at large shall scratch the word "Yes". Upon the same ballot shall also be printed the following question: "Shall the Recorder of the City of Greenville be elected by a popular vote of the qualified electors rather than elected by City Council — Yes— No.". Those voting in favor of electing the Recorder by a popular vote shall scratch the word "No" and those voting in favor of the city council electing said City Recorder shall scratch the word "Yes".

§ 4. **Duties and powers of managers.**—The managers at the respective voting precincts in the city of Greenville shall have charge of such election in addition to their duties as managers of the regular city election and shall count and tabulate the votes taken at such precincts and report same to the City Executive Committee.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 28 day of April, 1937.

(492)

No. 522.

AN ACT to Provide a Bond Issue for Parker School District No. 8-A, Greenville County, Not Exceeding Seventy Five Thousand (\$75,000.00) Dollars; for the Expenditure Thereof and for the Levy of a Tax for the Retirement of Said Bonds.

Section 1. Parker School District No. 8-A issue bonds enlarge and equip school house, Greenville County.—Be it enacted by the General Assembly of the State of South Carolina: That Parker School District No. 8-A of the County of Greenville, is hereby authorized to issue serial bonds of the said District, in the sum of not exceeding Seventy Five Thousand (\$75,000.00) Dollars for the purpose of raising money to add to its present school house, and equip the same.

§ 2. Interest—serial bonds—forms.—The interest on said bonds shall be payable semi-annually at a rate to be determined by the Trustees of said School District, The bonds shall be serial bonds, maturing at such time, not exceeding twenty (20) years, as shall be determined by said Trustees. The Trustees are authorized and directed to offer the bonds for sale in two forms; one whereby the right is reserved to call them for payment at any time after five years upon not less than three months notice; the other without such privilege to call them for payment, and the decision of the Trustees as to the form of bonds shall be conclusive.

§ 3. Name — denominations — maturities — execution.—These bonds shall be known as "School House Improvement Bonds"; shall be of the denominations of One Thousand (\$1,000.00) Dollars and Five Hundred (\$500.00) Dollars, in the discretion of the Board as to the number of each, and shall mature in series, or installments, of not less than Four Thousand (\$4,000.00) Dollars each year, the first of which shall be due and payable not more than two (2) years after the date of the bonds, all in the discretion of the said Trustees. The bonds may be payable within, or without, the State of South Carolina and in such medium of payment as may be indicated on their face; they shall be coupon bonds, payable to bearer, but the holder is given the privilege of having them registered as to number on the books of the County Treasurer of Greenville County, and the number thus made payable to the registered holder, or to bearer, if the last registered transfer be to bearer, upon such conditions as the Trustees may prescribe. The bonds shall be signed by the Chairman of the Board of Trustees and by the Clerk of said Board, and the seal of the County of Greenville shall be impressed thereon or affixed thereto, but the coupons to be attached to said bonds shall be authenticated by the printed, etched, lithographed or engraved facsimile signatures of the said Chairman and the said Clerk of the Board of Trustees. Delivery of the bonds so executed shall be valid, notwithstanding any change in officials or seal occurring before delivery. The bonds shall be issued and their form and tenor determined by, or under, the direction of the said Board of Trustees, a majority thereof constituting a quorum with full power to act.

§ 4. Tax exempt—sale.—The bonds shall be exempt from State, County, School and Municipal taxes; and shall be sold for not less than par and accrued interest upon sealed proposals after publication of notice of such sale for not less than three issues in a newspaper having general circulation in Greenville County at least

fifteen (15) days before the sale thereof. The award shall be to the highest bidder, but the right is given to reject any and all bids and to readvertise for sale.

§ 5. Trustees borrow from federal agencies.—The Trustees of said School District are hereby fully authorized and empowered to borrow from or through the Federal Emergency Agency of Public Works, or any other agency of the United States Government, the said sum of money, in compliance with the acts and regulations now, or hereafter, enacted or promulgated by the United States Government or any Department thereof, any provisions of this Act to the contrary notwithstanding; the indebtedness to be evidenced and secured by the said bonds.

§ 6. Payment of bonds.—The full faith and credit of Parker School District No. 8-A is hereby irrevocably pledged for the prompt payment of the principal and interest of said bonds as such principal and interest may become due; and the Auditor of Greenville County is hereby authorized and directed to annually levy on all of the taxable property within the said District a tax sufficient to pay said principal and interest as they respectively become due; and the Treasurer of Greenville County is authorized and directed to collect the said tax and apply it to said purpose.

§ 7. Architect—letting of contracts—labor and materials.—The Board of Trustees is authorized and empowered to employ an architect; but all bidding shall be awarded to the lowest responsible bidder after advertisement as to the letting thereof for at least two weeks in some newspaper in Greenville County, and the successful bidder shall be required to give bond in an amount sufficient, in the opinion of the Board of Trustees, to protect the said School District. The successful bidder shall be required to use local labor and, in so far as possible, materials obtained from local sources, in all of the work done as herein provided.

§ 8. Apply for grants.—The Board of Trustees of said School District is specifically authorized and empowered to enter into such agreements as may be found necessary to make this a Project that will enable a grant of aid from the Federal Government.

§ 9. Deposit and disbursement of funds.—No payment shall be made except on a bill duly itemized and approved by a majority of the Board of Trustees of said School District. All funds received from the sale of said bonds shall be placed in bank in a special account and only paid out upon the signature of the Chairman of the Board of Trustees and the Clerk of said Board; and upon the com-

pletion of the addition to said building and the acquisition of the equipment necessary therefor, an itemized statement of all expenditures shall be made and duly verified by the Chairman of said Board of Trustees and the Clerk of said Board, and filed with the Clerk of Court for the County of Greenville and there be subject to inspection by the public.

§ 10. **Repeal—invalidity.**—All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency and, if any of the terms or provisions of this Act should be declared unconstitutional or invalid by any court of competent jurisdiction, then to the extent that they are not unconstitutional or invalid, such terms or provisions of this Act shall be enforced and effectuated, nor shall such determination be deemed to invalidate the remaining provisions or terms thereof.

§ 11. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(587)

No. 523.

AN ACT to Provide for the Levy of Taxes in Greenwood County for County Purposes from July 1, 1937, to June 30th, 1938, and for the Expenditure Thereof; and to Authorize the Treasurer and Supervisor of Greenwood County to Borrow for Ordinary County Purposes and to Direct the Expenditure Thereof; to Fix Certain Recording Fees of the Clerk of Court; to Further Provide for Additional Tax Collectors; and to Adjust Past Due Taxes; to Provide for Safe-Guarding of Securities Placed with the Treasurer of Greenwood County; to Provide for the Refunding or Cancellation of Certain Railroad Bonds against Cooper, Cokesbury and Ninety-Six Townships; to Provide for the Cancellation of Certain Past Indebtedness Bonds; and to Make Certain Provisions with Respect to the Conduct of the County Government of Said County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That there is hereby appropriated for Greenwood County for the fiscal year beginning July 1, 1937, and ending June 30, 1938, the following sums of money, in the amounts and for the purposes hereinbelow set forth, and a tax sufficient to pay the

same, including revenues accruing to said County from all other sources, is hereby levied upon all of the taxable property of Greenwood County, the millage thereof to be determined by the Auditor in consultation with the Legislative Delegation and the Finance Board of Greenwood County, that is to say:

Item 1. Roads and Bridges:

(a) Roads, Bridges and Convict Maintenance.....	\$ 40,000.00
(b) New Road Machinery and Equipment	6,000.00
	\$ 46,000.00

Item 2. Salaries:

(a) Clerk of Court.....	300.00
(b) Sheriff	2,400.00

Provided, That the Sheriff of Greenwood County shall not receive any fees from tax executions in addition to the salary hereinabove stated, said fees to be turned into the general county funds.

Provided, An extension phone shall be allowed the Sheriff to be used in his adjoining office occupied by the Magistrate.

Transportation of Prisoners	200.00
Secret Service Work	200.00

Provided, That a portion of this fund may be used for the purpose of taking photographs to be used as evidence in criminal cases.

Deputy Sheriff-Jailer	1,200.00
(c) Treasurer (County one-third part estimated ...	878.85
Clerk Hire	500.00

Provided, The said amount shall be paid to the clerk so hired.

Provided, The Treasurer for Greenwood County shall not receive any fees from tax seizures or otherwise in addition to the salary hereinabove stated, said fees to be turned into the general county funds.

(d) Auditor (County's one-third part estimated	878.85
Clerk to Auditor	500.00

Provided, That the said amount shall be paid to the Clerk so hired.

(e) Superintendent of Education and Traveling Allowance	2,400.00
(f) Attorney	300.00
<i>Provided</i> , The said attorney shall be selected by unanimous vote of the Finance Board and in the event the said Board cannot agree, then the majority of the Legislative Delegation and the majority of the said Board shall elect.	
<i>Provided, further</i> , That the Trustees of the school districts of Greenwood County and the County Township Boards shall consult the County Attorney, and shall not have the right to employ any other attorney or to expend any funds for such purpose without the written consent of a majority of the Greenwood County Delegation.	
(g) County Physician	300.00
(Services Chaingang, Jail and County Farm, anywhere in Greenwood County).	
<i>Provided</i> , The said physician shall be selected by unanimous vote of the Finance Board and in the event the said Board cannot agree then the majority of the Legislative Delegation and the majority of the said Board shall elect.	
(h) Coroner	600.00
(i) Janitor of Court House	360.00
(j) Supervisor	2,400.00
(k) Auto upkeep and maintenance of Supervisor...	600.00
(l) Purchasing Agent, Clerk of Supervisor, Clerk of Forfeited Land Commission, Clerk of Sinking Fund and Clerk of Greenwood Highway Commission	2,400.00
Auto upkeep	200.00
(m) County Expert, Annual Audit, such audit to include allocation of school district fund (to be named by County Delegation)	300.00
<i>Provided</i> , A majority of the Legislative Delegation shall determine if an audit is necessary and the amount to be expended not to exceed \$300.00	
(n) County Agent Office Rent	310.00

(o) Colored County Agent Office Rent	100.00
(p) Superintendent of County Farm	1,000.00
(q) Salary of Matron to County Home	400.00
(r) Constables:	
Ninety-Six, County's one-half part	825.00
South Greenwood, County's one-half part	825.00
Ware Shoals (2 at \$825.00 each) for County's one-half part	1,650.00
Ware Shoals, West End	825.00
<i>Provided</i> , The \$825.00 hereby provided for law enforcement at West End to be paid to the parties in charge of law enforcement in the said West End to be used in connection with the funds they now raise.	
(s) Deputy Sheriff-Tax Collector	1,500.00
Expenses of Tax Collector, if so much be nec- essary.	200.00
(t) Magistrates:	
Ware Shoals	825.00
Greenwood	1,320.00
Ninety-Six	600.00
Hodges and Cokesbury	150.00
Bradley	75.00
Troy	75.00
Callison	75.00
Kirksey	75.00
Dyson	75.00
(u) County Board of Education	72.00
<i>Provided</i> , The County Board of Education shall not pay out of any funds available any amount toward the increase of the salary of any officer	
Board of Equalization	750.00
(v) Jail Expense, including dieting of prisoners at 50¢ per day	2,200.00
(w) Jurors and Witnesses	3,500.00
(x) County Home, poor House and Poor	4,500.00
<i>Provided</i> , That in the event social legislation is passed which shall not make necessary the maintenance of the County Home, then in that event, the amount hereby appropriated,	

or so much thereof as may not be needed shall revert to the general county funds.

(y) Post Mortems, Inquests and Lunacy	1,000.00
(z) Inquest Jurors	200.00
(a-1) Public Buildings, including water, fuel, lights and insurance	1,300.00
(a-2) Salvation Army	480.00
This amount shall be used by the Salvation Army for charity only, and all accounts shall be itemized and verified	
(a-3) Securing aid for disabled World War Veterans	1,200.00
(a-4) Premium on bonds of County Officers	1,000.00
(a-5) Repairs to Court House and Jail	100.00
(a-6) Printing, Postage and Stationery, Stamps, adding Machine and Typewriter Supplies	1,200.00
<i>Provided</i> , Postage and Stationery shall be furnished to salaried officers only.	
(a-7) Publishing Quarterly Reports	150.00
(a-8) Miscellaneous Contingent	500.00
(a-9) Telephone and Telegrams	
(8) Telephones to be located one (1) each in the office of the Sheriff, in the home of the Sheriff, in the home of each of the two rural policemen, one in the office of the Supervisor, one in the office of treasurer, also an extension of Sheriff's telephone to Grand Jury Room, one telephone in jail and one in County Home, all long distance messages to be itemized and verified before payment from this fund.	
	700.00
(a-11) Vital Statistics	262.00
(a-12) Greenwood Hospital	2,000.00
(a-13) Brewer Hospital	1,500.00
<i>Provided</i> , That when charity patients who are citizens of other counties are accepted into Brewer Hospital, the counties of which they are citizens shall be required to pay the actual cost to Brewer Hospital	
(a-14) Rural Police:	
First Rural Policeman at \$1,800.00; Second Rural Policeman at \$1,700.00	
	3,500.00

Auto upkeep and maintenance Sheriff and Rural Policeman	1,000.00
(a-15) County Health Unit	2,400.00
(a-16) National Guard Unit	350.00
((a-18) Aid for High School	4,620.00

Provided, This amount shall be prorated among the High Schools of Greenwood, Ninety-Six, Ware Shoals, upon the basis of an average attendance for the three months' period; in no case, however, to exceed \$5.00 per pupil per month.

Provided, This Finance Board of Greenwood County is hereby authorized to expend for reimbursement for labor employed in repairing and preserving the Star Fort at Ninety-Six a sum not to exceed \$30.00

Provided, That no high school shall receive aid except for pupils enrolled in the eighth, ninth, tenth and eleventh grades

(a-19) One-half of Finger-print and picture record of all prisoners (other half paid by City.	75.00
(a-20) Boy Scouts	300.00
163-a.Maintenance Seed Loan Office	250.00
163-b.Support of County Summer School	300.00
(a-21) Home Demonstration—Gir's' Work.....	100.00

GRAND TOTAL\$109,331.70

Anticipated Revenue 1937-1938 other than by
taxation:

Road Tax	\$ 1,000.00
Fines, Forfeitures and Licenses .	3,500.00
Insurance License Tax	6,500.00
Forfeited Land Commission	2,000.00
Beer,Wine and Whiskey Tax ..	7,000.00
1¢ Gas Tax	37,000.00

Provided, That this shall be less
whatever amount is pledged for
the repayment of road bonds.

3-Mill Maintenance Levy	25,000.00	
Unpledged Reimbursement Fund	6,500.00	
	\$ 88,500.00	88,500.00

Balance to be raised by taxation \$ 20,831.70

§ 2. The amount herein appropriated shall be paid out as near as practicable one-twelfth (1/12) each month during the year 1937-1938 and if any item on salary has been overpaid for any month, such overpayment shall be deducted the following month.

§ 3. The County Treasurer and County Supervisor are hereby authorized and empowered to borrow such amounts from time to time as may be required to meet the items set forth in this Supply Bill, and to pledge the 1937 taxes for the repayment of same, the total amount so borrowed not to exceed Twenty Thousand (\$20,000.00) Dollars; *Provided*, That the Finance Board for Greenwood County, with the approval of a majority of the Greenwood County Legislative Delegation in the General Assembly, be and they are, hereby authorized and empowered to make such regulation or take such action as is necessary under the existing emergency, or such emergency as may arise before the convening of the next session of the General Assembly for the financing of the affairs of Greenwood County, both the general county matters and all school matters, with the further provision that a full and complete record of any action taken under the provisions of this Section shall be kept by the Secretary of the Finance Board, and *Provided, further*, Before any action is taken by the Finance Board in connection with this Section, it shall call a joint meeting of the members of the General Assembly and the Finance Board to discuss such action.

§ 4. The County Supervisor shall publish each quarter of the fiscal year a condensed itemized statement of all receipts and disbursements of County funds.

§ 5. That all accounts shall be kept separate and distinct and expended only for the purpose for which appropriated: *Provided*, No bill or claim shall be approved or paid unless the same shall state fully, under oath, what it is for, or giving the kind of quality of thing or commodity which it represents, in addition to the amount and time furnished. Any note or contract made by any officer of the County or County Board for any amount not included in this Supply Bill shall be null and void. *Provided, further*, Any officer or em-

ployee who disregards any of the provisions hereof without the written consent of a majority of the Greenwood County Delegation in the General Assembly, kept on file in the office of the County Treasurer shall be guilty of a malfeasance in office and subject to removal in addition to the punishment now provided by law.

§ 6. The Greenwood Highway Commission is authorized and directed to turn over to the County Treasurer any funds on hand, and the County Treasurer is directed to hold such funds turned over to him by the Greenwood Highway Commission, together with any funds hereinafter accruing to the credit of the Greenwood Highway Commission for disposition or order of the Greenwood County Delegation.

The Supervisor's Department is directed and required to prepare plans and specifications and to advertise for bids on all new bridges costing \$250.00 or more, to award contracts to the lowest responsible bidder, to require execution of contract by successful bidder and to make such inspection during construction as necessary to assure compliance with contract: *Provided*, The Supervisor shall have the power, without advertising, to build with chain gang labor any and all bridges in Greenwood County where in his judgment would be advisable and expedient.

The school trustees in each district of Greenwood County are hereby directed to see that all claims presented for payment shall be duly itemized and verified and shall state the purpose for which the said claims are drawn, and the County Superintendent is hereby prohibited from approving any claims unless it is so drawn.

§ 7. The fee that may be charged by the Clerk of Court of Greenwood County for the recording of any mortgage or other instrument conveying an interest in, or creating a lien on, crops growing or to be grown, or personal property, or both, and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Corporation, a Federal Intermediate Credit Bank or any other corporation which rediscounts notes, or other obligations, with, or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States, or any department, agency, instrumentality or officer thereof, shall be seventy-five (75¢) cents; and a copy or duplicate of such instrument shall be furnished to the recording officer; *Provided*, That Greenwood

County is specifically exempted from the provisions of Section 3637, Code of Laws of South Carolina, 1932.

§ 8. All persons subject to road tax in Greenwood County as now provided by law, shall work two days on the county roads between the months of August 1st and February 28th, subject to call when in their locality, or in lieu thereof to pay the sum of \$1.00.

§ 9. In order to further effectuate the collection of back due taxes, the Greenwood County Delegation in the General Assembly shall have the right to name such additional tax collectors as in their opinion will be for the best interest of the county, the said additional tax collectors to hold office not longer than July 1st, 1938, or for a shorter period if the majority of the said delegation shall decide on a shorter period, and shall receive as their compensation such part of the fines and penalties collected by them on past due taxes as the majority of the said delegation shall determine.

The Finance Board for Greenwood County in connection with the trustees from the respective school districts of the said county shall have the right to fully consider all past due personal property taxes and shall have the right to make such recommendations as to nulla bona and compromise adjustments as to them may seem best, provided the same shall be approved by the Comptroller General. This provision is for the purpose of clearing up a large amount of past due personal property taxes from which very little is being realized and which question each year is becoming a more serious problem.

§ 10. Act No. 87, approved February 28, 1933, provides that in the event satisfactory arrangements cannot be made under the terms of the said Act, then the Treasurer of Greenwood County shall consult with the Finance Board and the Legislative Delegation and together they shall determine what final action shall be taken. Some question has arisen as to the safety of the county vault, the Treasurer therefore, is hereby requested and directed to consult with the delegation and the Finance Board, together with the banks in the county, in order that all parties may be protected.

§ 11. The Greenwood County Finance Board is hereby authorized and empowered to reissue all necessary bonds to take care of any outstanding railroad bonds now against the Township of Cokesbury, Cooper, and Ninety-Six due January 1st, 1938, or in lieu of issuing new bonds, if in the opinion of a majority of the said Finance Board, it shall seem wise and expedient, then the said Board shall have the

right to buy in the said bonds for the benefit of the County Sinking Fund and to hold them.

§ 12. The Legislative Delegation of Greenwood County is hereby authorized to determine the levy for school purposes for each school district in Greenwood County, For the purpose of fixing such levy the action of a majority of said Delegation shall be sufficient. This is with the view of suspending a part of the levy in certain school districts where reduction is made possible by the increase in State aid to schools and the collection of delinquent taxes.

§ 13. The salaries of all County officers have been increased and the acceptance by the said County officers of the salaries as herein agreed upon shall be in complete settlement of all claims against Greenwood County on account of back salaries, and any county official of Greenwood County who desires to file a claim against the said County on account of back salaries, fees or commissions is hereby required to make such claims within ninety (90) days from the approval of this Act, and failure to file such claim shall be a complete bar to any claim in the future.

§ 13-A. There is hereby levied on all taxable property of Greenwood County one-half (1/2) mill. The money collected from this tax is to be expended for the purpose of furthering Rural Electrification in Greenwood County and on such terms and conditions as may be determined by a majority of the Legislative Delegation and a majority of the Finance Board of Greenwood County.

§ 14. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 15. This Act shall take effect upon its approval by the Governor.

Approved the 14th day of May, 1937.

(558)

No. 524.

AN ACT to Provide for the Construction of Certain State Highways in Greenwood County Pursuant to the Reimbursement Agreement Between the State Highway Commission and Greenwood County, to Authorize the Making of Such Agreement and the Issuance of Greenwood County Bonds for Said Purposes and to Provide for the Payment of Said Bonds.

Section 1. Greenwood County issue bonds construct certain state highways.—Be it enacted by the General Assembly of the

State of South Carolina: The Finance Board of Greenwood County be and the same is hereby authorized to issue serial coupon bonds of Greenwood County, upon the conditions hereinafter stated, for the purpose of raising monies to aid in financing the construction of certain State Highways or sections thereof hereinafter designated.

§ 2. Bonds.—Said Bonds shall bear interest at a rate not exceeding four and one-half ($4\frac{1}{2}$) per centum per annum, payable semi-annually and shall mature at such time or times not exceeding twenty (20) years from date of said bonds, and shall be issued in such form and denomination as the Senator and at least one-half of the members of the Delegation from Greenwood County in the General Assembly may direct in writing. The said bonds shall be signed by such County officials as shall be designated by the Senator and at least one-half of the members of the Delegation from said County in the General Assembly, and the seal of the Finance Board of Greenwood County shall be affixed to or impressed upon the said bonds. The delivery of the bonds shall be valid notwithstanding any change in officials or seal occurring after the execution of the bonds. The bonds shall be sold for not less than par and accrued interest. They shall be sold upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale. The award shall be made to the highest bidder but the county shall have the right to reject all bids and readvertise the bonds for sale.

§ 3. Enter into reimbursement agreement with state highway commission.—No bonds shall be issued under this Act unless and until the Finance Board of Greenwood County shall have previously entered into an agreement on behalf of such County with the State Highway Commission of South Carolina whereby the State Highway Commission shall have agreed to reimburse and repay said County for the monies to be advanced by the County to the State Highway Commission pursuant to said agreement. The amount of bonds to be issued shall not exceed the amount necessary, as estimated by the State Highway Commission or the Chief Highway Commissioner, which amount shall be set forth in the reimbursement agreement. The said Finance Board of Greenwood County may, by the terms of said agreement, agree to advance to the State Highway Commission monies necessary for the purpose of this Act and said Highway Commission may agree to reimburse and repay said County for all monies so advanced. The said Finance Board of Greenwood County and the State Highway Commission shall have all powers neces-

sary to enable them to carry out said agreement. The State Highway Commission shall reimburse and repay said County as aforesaid out of the funds authorized by other laws to be used for the construction of the State Highway System and so much of said funds as may be necessary for the purpose of making such reimbursement is hereby pledged irrevocably for said purpose, except the money needed in order to make the payments to which said funds may have been previously pledged, and said pledge is hereby made a part of the contract between said County and the holders of said bonds. All monies paid or reimbursed to the County by the State Highway Commission pursuant to the provisions of this Act are hereby pledged irrevocably for the purpose of paying the principal and interest of the bonds authorized to be issued pursuant to this Act. This pledge is hereby made a part of the contract between said County and the holders of said bonds. In fixing the time or times of maturity of said bonds the Finance Board of Greenwood County shall consider the probable amounts to be received each year by way of reimbursement as aforesaid, and shall endeavor to arrange the time of maturity of said principal so that the levy of a tax will not be necessary in order to pay said principal.

§ 4. State highway commission pay certain interest on bonds.

—In addition to agreeing to repay and reimburse the principal sum of money to be advanced by the County as aforesaid, the State Highway Commission is hereby authorized and empowered to agree to repay and reimburse such interest on said bonds as may become due on and after the date or time that the roads herein designated would have been constructed by the State Highway Commission in a normal course of construction and without means provided by this Act, such time or times to be determined by the State Highway Commission.

§ 5. Payment of bonds.—The full faith, credit and taxing power of Greenwood County are hereby irrevocably pledged for the punctual payment of the principal and interest of said bonds as such principal and interest become due. The County Auditor of Greenwood County is hereby authorized and directed to levy annually on all taxable property of such County a tax sufficient to pay said principal and interest as they respectively become due and the Treasurer of Greenwood County is hereby authorized and directed to collect said tax and apply it to said purposes, and there shall also be applied to the payment of said interest and to the reduction of said tax so much

of the one cent gasoline tax as the County may receive from year to year, after the date of the approval of this Act, from the said Treasurer. But all monies received by the County from the State Highway Department by way of reimbursement under the agreement herein provided for shall be applied to the payment of the said principal and interest and to the reduction of the payments by said taxes. It is the intention of this Act that all bonds issued hereunder shall be direct and general obligations of Greenwood County, payable primarily by means of a property tax.

§ 6. **Bonds tax exempt.**—All bonds issued under the provisions of this Act shall be exempt from all state, county or municipal taxes.

§ 7. **Type of construction.**—The construction herein authorized shall include hard surface construction as determined by the State Highway Department.

§ 8. **“Highway” and “road” defined.**—The term “highway” or “road” as used in this Act shall include bridge and drainage structures.

§ 9. **Highways.**—The Highways or sections thereof together with the necessary bridges to be constructed with funds to be made available under the provisions of this Act are namely: The road, known as the Callison road from the McCormick County line through Callison to the intersection with Highway No. 25, known as Highway No. 67.

§ 10. **Repeal—construction.**—All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency. This Act shall not be construed to be inconsistent with or repealing any other Act or Acts authorizing the issuance of bonds or other obligations for the purpose of which bonds are hereby authorized to be issued, but shall be held and construed to be cumulative thereto. The provisions of this Act shall not affect the provisions of Act No. 984, Acts of the General Assembly 1936, which prohibits the State Highway Commission and/or the State Highway Department from incurring or assuming any bonded indebtedness in excess of the aggregate principal indebtedness of the said Commission and/or Department as of the first day of January, 1934.

§ 11. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 13th day of May, 1937.

(341)

No. 525.

AN ACT to Authorize Greenwood County to Issue Bonds in an Amount Not to Exceed Fifty-Five Thousand (\$55,000.00) Dollars for the Construction of Bridges or Highways or Improvements to Highways in Said County, and Providing That Said Bonds Shall be Payable in the First Instance from the Gasoline Tax Accruing to Said County from the State Highway Department and Providing that the Full Faith, Credit and Taxing Power of Said County Are Pledged to the Payment of the Principal of and Interest on the Bonds.

Section 1. Greenwood County issue bonds for bridge and highway construction.—Be it enacted by the General Assembly of the State of South Carolina: That Greenwood County is hereby authorized and empowered to issue bonds of said County in an amount not to exceed fifty-five thousand (\$55,000.00) dollars for the purpose of financing the cost of the construction of bridges or highways or improvements to highways of said County, or for any one or more of said purposes, and such other purposes pertaining to highway improvements as the County Finance Board of Greenwood County may designate by resolution. *Provided, however,* That no such construction or improvement shall be undertaken by the said County Finance Board unless and until such construction or improvement shall have been approved by a majority of the County Delegation of Greenwood County in writing.

§ 2. Payment—issuance.—Bonds issued under this Act shall be made payable in the first instance from the gross receipts derived from the gasoline tax accruing to Greenwood County from the State Highway Department and allocated to said County. The bonds shall constitute general obligations of Greenwood County, and the full faith, credit and taxing power of said County are hereby pledged for their payment, and the officials of said County charged with the duties of levying and collecting taxes are hereby directed to levy and collect annually a tax upon all taxable property within said County sufficient to pay the principal of and interest on said bonds. No bonds shall be issued under this Act, however, unless the County Finance Board shall first determine that the gasoline taxes allocated to said County by the State Highway Department and from which the bonds are payable in the first instance will be sufficient to pay the principal of and interest on said bonds as such principal and interest become due without resorting to any other taxes or revenues of

said County. After the issuance of any bonds under this Act, so much of the gross receipts derived from said gasoline taxes and from which the bonds are payable in the first instance as herein provided shall, as collected, be paid into the office of the County Treasurer and kept in a special fund to be used exclusively for the payment of said bonds as such principal and interest severally become due.

§ 3. Negotiable, serial, coupon bonds—form—denominations—maturities—interest—legislative delegation approve.—That said bonds shall be negotiable, serial, coupon bonds; shall be in such form and denomination; shall mature in such amounts and at such time or times as the County Finance Board shall prescribe by resolution. *Provided, however,* that the rate of interest on said bonds shall not exceed four (4%) per cent per annum and that the bonds shall be sold for not less than par and accrued interest. *Provided, further,* that no bonds shall be issued pursuant to this Act until the same shall have been approved in writing by a majority of the County Delegation of Greenwood County.

§ 4. Execution.—That said bonds shall be signed by the County Supervisor and County Treasurer, respectively, and the coupons shall bear the facsimile signatures of said County Supervisor and County Treasurer, and the seal of said County shall be affixed to or impressed upon the bonds.

§ 5. Sale—expenditure of funds.—That when the bonds shall have been authorized and executed in accordance with the provisions of this Act, they shall be sold at either public or private sale and upon such terms and conditions as shall be prescribed by resolution of the County Finance Board of Greenwood County. The proceeds from the sale of the bonds shall be expended for highway purposes in accordance with the provisions of a resolution adopted by the County Finance Board. *Provided,* That the purposes for which the proceeds from the sale of the bonds will be used, shall have been approved in writing by a majority of the County Delegation of Greenwood County.

§ 6. Tax exempt.—That the said bonds both as to principal and interest shall be exempt from all State, county and municipal taxes of the State of South Carolina.

§ 7. That all Acts or parts of Acts in conflict with this Act are to the extent of such conflict hereby repealed.

§ 8. This Act shall take effect immediately upon its approval by the Governor.

Approved the 16th day of April, 1937.

(468)

No. 526.

AN ACT to Provide that the Fiscal Year of the County of Hampton Shall Begin on July 1, and End on June 30 of Each Succeeding Year; to Provide for the Levy of Taxes in Said County for County Purposes for Eighteen Months from January 1, 1937, to June 30, 1938, and for the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the fiscal year for the County of Hampton shall commence on the First day of July and end on the Thirtieth day of June of each succeeding year. The ensuing fiscal year shall begin July 1, 1937 and end June 30, 1938.

§ 2. That for the purpose of carrying into effect the foregoing, the following appropriations are hereby made for the eighteen (18) months beginning January 1, 1937 and terminating June 30, 1938.

§ 3. That a tax of sufficient number of mills to pay the appropriations herein made, the amount of such millage to be determined by the County Auditor, the County Treasurer and the Legislative Delegation, is hereby levied upon all of the taxable property of Hampton County for the purposes hereinafter stated as follows, to wit:

Item 1. ROADS AND BRIDGES:

Convicts and Maintenance of Road Working. Organization and Chaingang	\$ 5,700.00
Two (2) Guards for Chaingang @ \$49.50 per month	1,188.00
One (1) Tractor Man, Chaingang @ \$88.00 per month	1,056.00
Street Tax	1,000.00
Lumber and Maintenance of High- ways and Bridges	4,500.00
Machinery	3,500.00

Provided, That the Supervisor of Hampton County before purchasing or placing an order for equipment, material, supplies, goods, wares or merchandise or for anything whatsoever needed and used for County purposes, shall advertise, giving reasonable notice for bids in some newspaper published in Hampton County asking for bids for such equipment, materials, supplies, goods, wares or merchandise as may be needed, and shall place an order or orders with the lowest responsible bidder. Or such Supervisor may reject any or all bids: *Provided*, that no order shall be placed or bid accepted and/or no bid shall be rejected without the approval of the Legislative Delegation in writing.

Item 2. SALARIES:

Clerk of Court	450.00
Jailor	300.00
Sheriff	1,400.00
Deputy Sheriff	1,200.00
Treasurer	750.00
Auditor	750.00
County Superintendent of Education	1,500.00
County Superintendent of Education.	
Traveling Expenses	50.00
Attorney	240.00
Physician\$	240.00
Coroner	150.00
Janitor of Court House and Grounds	420.00
Supervisor	1,800.00

	Clerk to Supervisor	540.00	
	Two (2) County Commissioners		
	@ \$550.00 each	1,100.00	
	Four (4) Constables @ \$180.00		
	each	720.00	
	Four (4) Magistrates @ \$275.00		
	each	1,100.00	
	Service Officer (For benefit of Disabled Veterans)	450.00	
Item 3.	COUNTY BOARDS:		
	Board of Education	44.00	
	Board of Equalization (\$3.00 per day)	108.00	
			\$ 152.00
Item 4.	Jail Expenses (Including dieting of Prisoners	650.00	
Item 5.	Jurors and Witnesses	2,000.00	
	That the per diem of each juror shall, in addition to the mileage now provided by law, be \$2.00.		
Item 6.	Post Mortems Inquests and Lu- nacy	400.00	
Item 7.	Public Buildings, including Fuel, Water, Light and Insurance...	690.00	
	Telephone	75.00	
	Bonds of Officers	415.00	
	Miscellaneous Supplies	300.00	
			1,480.00
Item 8.	Postage, Stationery and Office Supplies	850.00	
Item 9.	Miscellaneous Contingent Reg- istrar's Salary	160.00	
	Hampton County Health Center.	500.00	
Item 10.	Printing for the year 1937.....	300.00	
Item 11.	Contingent Fund	24,103.00	
	Provided, That any expenditures from the Contingent Fund be		

made only upon the written approval of the Hampton County Delegation. With this fund the Delegation will apportion appropriations for the various County purposes to cover expenditures for the period January 1, to June 30, 1938.

Item 12. Clerk for Officers of Hampton County	300.00	
GRAND TOTAL	\$ 60,909.00	
LESS ESTIMATED REVENUE OTHER THAN TAXES:		
Commutation Road Tax	\$ 7,000.00	
Fines and Licenses, Clerk of Court and Magistrates	1,275.00	
Gas License Tax	22,500.00	
Beer and Wine Tax	1,402.50	
Additional License Fees, Insurance Commissioner	772.50	
Alcoholic License Tax	1,789.50	34,739.50
AMOUNT TO BE RAISED BY TAXATION		26,169.50
		=====

Provided, That the County Attorney of Hampton County is hereby required to give each county officer of the County advice when requested for same:
Provided, That none of the funds herein appropriated shall be expended for the payment of any expenses for transmitting of lunatics to the State Hospital for the Insane: *Provided, Further*, That the Farm Demonstration Agent shall be appointed

by the proper authorities by and with the consent of the Legislative Delegation from Hampton County, and shall be subject to removal on request of the Legislative Delegation: *Provided, Further,* That all revenues provided for by law be collected and placed in the ordinary County Fund to supplement and provide sufficient funds for all ordinary county purposes.

§ 4. No road tax shall be levied except a commutation road tax of Three (\$3.00) Dollars, to be assessed and collected from each male citizen between the ages of twenty-one and fifty-five years, inclusive. No one shall be exempt from the payment of said commutation tax, except persons totally disabled.

§ 5. That all commutation taxes shall be expended on roads and bridges in townships and towns from which same are collected and that of the commutation tax collected from citizens of incorporated towns by the County Treasurer shall be returned to the respective towns:

Provided, That the town authorities of Brunson, Hampton, Varnville, Yemassee, and Estill be empowered to collect the commutation tax from residents within their respective corporate limits:

Provided, Further, That the clerks of the respective towns be required on or before September 1st of each year to furnish a list, duly sworn to, of all persons in their respective towns who are liable to such commutation tax.

§ 6. The Auditor and Treasurer of Hampton County shall be, and they are hereby, constituted a Sinking Fund Commission of Hampton County, whose duty it shall be to handle all funds collected for the purpose of creating a sinking fund for the retirement of all bonds of the County, and said Commission shall not deposit said funds in any bank unless such bank shall give a surety bond or place with said Commission Liberty Bonds, Federal Land Bank Bonds, the State of South Carolina Bonds, Hampton County Bonds, or bonds of any political subdivision of Hampton County as security to safeguard such deposits. All time deposits shall bear interest at two and one-half ($2\frac{1}{2}\%$) per cent.

§ 7. That the Auditor and Treasurer of Hampton County, constituting the Sinking Fund Commission of Savannah River Bridge Project, are hereby authorized and empowered and specifically directed to take all funds refunded to Hampton County on the Savannah River Project by the State Highway Department and purchase, if it is possible to do so, as many bonds as the said bonds will purchase, and if it is not possible at this time to purchase said bonds on the market, the said Sinking Fund Commission is authorized to deposit said funds in some bank, if such will give security therefor, an amount in marketable securities equal to said deposit, and if this cannot be done, then the said Commission is directed to take said funds and buy Liberty Bonds therewith.

§ 8. That the County Supervisor and County Commissioners are hereby prohibited to issue any check to any Magistrate of Hampton County until said Magistrate has filed statement of the names of all parties against whom warrants have been issued during the previous months and the disposal of each case and a receipt from the Treasurer for the fines and costs collected by the Magistrates during the previous month.

§ 9. The County Supervisor, upon the request of any County Commissioner, is hereby authorized to furnish from the chaingang, a truck and a sufficient number of convicts to do such work on roads and bridges of the County as such Commissioner deems necessary.

§ 10. All lumber purchased shall be with the approval of two (2) County Commissioners and the County Supervisor.

§ 11. All notices by the County Supervisor, County Treasurer, County Superintendent of Education, County Auditor and other County Officers, provided by the statutes to be given shall be published in the Hampton County Guardian; and the Three Hundred (\$300.00) dollars set out in Item 11 for the payment in full of such notices to be published in said paper during the year 1937;

Provided, however, That the word "notices" above used shall not be deemed to include notices and advertisements of tax sales, and said sum of Three Hundred (\$300.00) dollars is not in payment of the costs of advertising tax sales.

§ 12. That the County Supervisor, Treasurer, Auditor and Clerk of Court shall compose a Board to purchase all books and stationery for the County.

§ 13. That no property owned by Hampton shall be sold, rented or leased unless the approval of the Legislative Delegation shall be first secured.

§ 14. That all bonds executed and given by the various officers of Hampton County for the faithful performance of their duties as such officers are hereby required to be approved by a majority of the members of the General Assembly from Hampton County.

§ 15. That in the purchase of any and all articles of whatsoever nature or kind, the Supervisor shall notify all parties interested in selling the articles, of his desire to purchase by posting a notice of such desire to purchase in at least five (5) public places in the County and also by sending out written notices to any and all parties handling such articles. *Provided, However,* that the provisions of this Section shall not apply to purchases under twenty-five (\$25.00) dollars.

§ 16. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 17. This Act shall take effect immediately upon its approval by the Governor.

Approved the 30th day of April, 1937.

(162)

No. 527.

A JOINT RESOLUTION to Authorize the Release and Satisfaction of a Judgment by Hampton County, in so far as Certain Judgment Debtors are Concerned, upon the Payment of a Certain Amount.

Section 1. Hampton County release and satisfy judgment against J. E. Puerifoy and G. L. Barnes.—Be it resolved by the General Assembly of the State of South Carolina: That the Attorney of Record, who represented the County of Hampton in the suit brought against J. E. Puerifoy, G. L. Barnes and W. J. Holliday, which resulted in a judgment in favor of the County as now appears of record in the Abstract of Judgments in the office of the Clerk of Court of Hampton County, be, and he is hereby authorized and empowered, upon the payment to him of the sum of Two Hundred (\$200.00) Dollars by J. E. Puerifoy and G. L. Barnes, to execute a satisfaction of the said judgment in so far as the said J. E. Puerifoy and G. L. Barnes are concerned, and to satisfy the

same of record as to them. The consideration so paid by the said judgment debtors shall be paid over to the Treasurer of Hampton County.

§ 2. This Resolution shall take effect upon its approval by the Governor.

Approved the 19th day of March, 1937.

(581)

No. 528.

AN ACT to Provide for the Construction of Certain State Highways in Hampton County Pursuant to Reimbursement Agreement Between the State Highway Commission and Hampton County; to Authorize the Making of Such an Agreement and the Issuance of Hampton County Bonds for Said Purposes, and to Provide for the Payment of Said Bonds.

Section 1. Hampton County issue bonds construct certain state highways.—Be it enacted by the General Assembly of the State of South Carolina: The Board of County Commissioners of Hampton county be, and the same is hereby, authorized to issue serial bonds of Hampton County, upon the conditions hereinafter stated, for the purpose of raising moneys to aid in financing the construction of certain State Highways hereinafter designated.

§ 2. **Bonds.**—Said bonds shall bear interest at a rate not exceeding four and one-half ($4\frac{1}{2}$) per centum per annum, payable semi-annually and shall mature at such time, or times, not exceeding twenty (20) years from date of said bonds, and shall be issued in such form and denomination as the Senator and at least one-half of the members of the Delegation from Hampton County in the General Assembly may direct in writing. The said bonds shall be signed by such County Officials as shall be designated by the Senator and at least one-half of the members of the Delegation from said County in the General Assembly, and the seal of the Board of County Commissioners of Hampton County shall be affixed to, or impressed upon, the said bonds. The delivery of the bonds shall be valid notwithstanding any change in officials, or seal, occurring after the execution of the bonds. The bonds shall be sold for not less than par and accrued interest. They shall be sold upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale. The award shall be made to the highest bidder,

but the county shall have the right to reject all bids and readvertise the bonds for sale.

§ 3. Enter into reimbursement agreement with state highway commission.—No bonds shall be issued under this Act unless and until the Board of County Commissioners of Hampton County shall have previously entered into an agreement on behalf of such County with the State Highway Commission of South Carolina whereby the State Highway Commission shall have agreed to reimburse and repay said County for the moneys to be advanced by the County to the State Highway Commission pursuant to said agreement. The amount of bonds to be issued shall not exceed the amount necessary, as estimated by the State Highway Commission, or the Chief Highway Commissioner, which amount shall be set forth in the reimbursement agreement. The said Board of County Commissioners may, by the terms of said agreement, agree to advance to the State Highway Commission moneys necessary for the purpose of this Act, and the said Highway Commission may agree to reimburse and repay said County for all moneys so advanced. The said Board of County Commissioners and the State Highway Commission shall have all powers necessary to enable them to carry out said agreement. The State Highway Commission shall reimburse and repay said County as aforesaid out of the funds authorized by other laws to be used for the construction of the State Highway System, and so much of said funds as may be necessary for the purpose of making such reimbursement is hereby pledged irrevocably for said purpose, except the money needed in order to make the payments to which said funds may have been previously pledged, and said pledge is hereby made a part of the contract between said County and the holders of said bonds. All moneys paid or reimbursed to the County by the State Highway Commission pursuant to the provisions of this Act are hereby pledged irrevocably for the purpose of paying the principal and interest of the bonds authorized to be issued pursuant to this Act. This pledge is hereby made a part of the contract between said County and the holders of said bonds. In fixing the time, or times, of maturity of said bonds the Board of County Commissioners of Hampton County shall consider the probable amounts to be received each year by way of reimbursement as aforesaid, and shall endeavor to arrange the time of maturity of said principal so that the levy of a tax will not be necessary in order to pay said principal.

§ 4. State highway commission pay certain interest on bonds.

—In addition to agreeing to repay and reimburse the principal sum of money to be advanced by the County as aforesaid, the State Highway Commission is hereby authorized and empowered to agree to repay and reimburse such interest on said bonds as may become due on and after the date or time that the roads herein designated would have been constructed by the State Highway Commission in a normal course of construction and without means provided by this Act, such time, or times, to be determined by the State Highway Commission.

§ 5. Payment of bonds.—The full faith, credit and taxing power of Hampton County are hereby irrevocably pledged for the punctual payment of the principal and interest of said bonds as such principal and interest become due. The County Auditor of Hampton County is hereby authorized and directed to levy annually on all taxable property of such County a tax sufficient to pay said principal and interest as they respectively become due and the Treasurer of Hampton County is hereby authorized and directed to collect said tax and apply it to said purpose. But all moneys received by the County from the State Highway Department by way of reimbursement under the agreement herein provided for shall be applied to the payment of said principal and interest and to the reduction of said tax. There shall also be applied to the payment of said interest and to the reduction of said tax so much of the one cent gasoline tax as the County may receive from year to year, after the date of the approval of this Act, from the State Treasurer. It is the intention of this Act that all bonds issued hereunder shall be direct and general obligations of Hampton County, payable primarily by means of a property tax.

§ 6. Bonds tax exempt.—All bonds issued under the provisions of this Act shall be exempt from all State, County or Municipal taxes.

§ 7. Type of construction.—The construction herein authorized shall include hard surface construction as determined by the State Highway Department.

§ 8. "Highway" and "road" defined.—The term "highway" or "road" as used in this Act shall include bridges and drainage structures.

§ 9. Highways.—The highways, together with necessary bridges, to be constructed with funds made available under the provisions

of this Act, are, namely: State Highway 63 from a point approximately one-half mile south of Furman to the Jasper County line, and State Highway 63 from Varnville to the Colleton County line, and State Highway 631 from Estell to State Highway 63.

§ 10. **No effect on act 984, 1936 Acts—bonded indebtedness of state highway department and state highway commission.**—The provisions of this Act shall not affect the provisions of Act No. 984, Acts of the General Assembly of 1936, which prohibits the State Highway Commission and/or the State Highway Department from incurring or assuming any bonded indebtedness in excess of the aggregate principal indebtedness of the said Commission and/or Department as of the first day of January, 1934.

§ 11. **Repeal—construction.**—All Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed to the extent of such inconsistency. This Act shall not be construed to be inconsistent with or repealing any other Act or Acts authorizing the issuance of bonds or other obligations for the purpose for which bonds are hereby authorized to be issued, but shall be held and construed to be cumulative thereto.

§ 12. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 14th day of May, 1937.

(490)

No. 529.

AN ACT to Provide for the Operation of Government of Horry County from July 1, 1937 to June 30, 1938. To Levy Taxes for County Purposes, and to Direct the Expenditure of County Funds During the Said Period.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: For all county purposes and for the operation of Horry County for the period commencing July 1, 1937 and ending June 30, 1938, the amounts stated herein are hereby appropriated.

Item 1. ADMINISTRATIVE EXPENSE:

Salaries:

Clerk of Court	2,400.00
Deputy Clerk of Court.....	1,200.00
Clerical Help-Clerk of Court's office	1,000.00

Sheriff and office help	2,700.00	
Deputy Sheriff	1,500.00	
Rural policemen	4,500.00	
Treasurer and office help.....	1,800.00	
Auditor and office help	1,800.00	
Superintendent of Education	1,200.00	
Chairman County Board of Com-		
missioners	2,400.00	
Commissioners (4)	600.00	
Clerk County Board of Commis-		
sioners	1,500.00	
Tax Collector	1,800.00	
Deputy Tax Collector	1,200.00	
Judge of Probate	1,450.00	
Judge of Probate (Pension Clerk)	100.00	
Coroner	600.00	
County Attorney	600.00	
Magistrates	3,920.00	
Magistrates Constables	2,870.00	
Service Officer	1,200.00	
Clerk—Auditor's office	300.00	
Travel—Sheriff	300.00	
Travel—Deputy Sheriff	300.00	
Travel—Rural Policemen (3)...	900.00	
Travel—Tax Collector and Dep-		
uty	300.00	
Total Item 1.		38,440.00

Item 2. OTHER ADMINISTRATIVE
EXPENSE:

County Boards	300.00
Jail	3,500.00
Conveying prisoners	500.00
Jurors and witness fees	6,500.00
Inquest and lunacy	300.00
Public buildings	1,000.00
Repair and addition to Court	
House	10,000.00
Printing books and office supplies	4,000.00
Officers bonds and miscellaneous	1,500.00

County Health Unit	4,000.00	
County demonstrator's office.....	100.00	
Vital Statistics	475.00	
Audit of County offices	250.00	
Federal Reemployment office..		
Conway, S. C.	200.00	
Total Item 2.		\$ 32,625.00
Item 3: CHARITIES AND DONA- NATIONS:		
Poor	\$ 500.00	
Carolina Orphan's Home	480.00	
Hospitalization needy cases	1,500.00	
Total Item 3.		2,480.00
Item 4: CHAINGANG:		
Chaingang	12,000.00	
Total Item 4.		12,000.00
Item 5: COUNTY ROADS:		
County roads	50,000.00	
Total Item 5.		50,000.00
Item 6: NEW ROAD MACHINERY		
New road machinery	\$ 4,000.00	
Total Item 6		\$ 4,000.00
Item 7: BONDED DEBT AND IN- TEREST:		
Highway Bonds Nos. 65, 66, 67, 68, 69, 70, 71.....	7,000.00	
Interest on Highway bonds.....	7,287.50	
Past Indebtedness(Bonds Nos. 28 and 29)	2,000.00	
Interest on past indebtedness....	1,092.50	
Total Item 7		17,380.00

Item 8: LANDS FOR PUBLIC BUILDINGS:

Lands for public buildings.....	750.00	
Office building	2,000.00	
Total Item 8		2,750.00
Total Appropriation July 1, 1937 to June 30, 1938		\$159,675.00
Total for period commencing Ju- ly 1, 1937 and ending June 30, 1938		159,675.00
ESTIMATED REVENUES AND AVAILABLE CRED- ITS:		
Magistrates fines	7,000.00	
Judge of Probate fees.....	450.00	
Clerk of Court fees	3,000.00	
Clerk of Court fines	2,000.00	
Gasoline Tax	35,000.00	
Beer and wine tax	4,000.00	
Liquor tax	8,000.00	
Insurance funds	2,000.00	
Rent health office	400.00	
Highway reimbursement agree- ment No. 342	1,100.00	
Highway reimbursement agree- ment Nos. 22 and 239	2,800.00	
Road tax	10,000.00	
Auditor's fees	300.00	
Tax Collector's and treasurer's fees	7,000.00	
		\$ 83,050.00
Total to be raised by taxation...		\$ 76,625.00

§ 2. The County auditor of Horry County is hereby directed to calculate the amount of millage, not to exceed twenty (20) mills, on all the taxable property in Horry County necessary to raise the above amount designated to be raised by property taxation, to-wit: Seventy six Thousand six hundred twenty-five (\$76,625.00) Dollars. That

the amount of millage, not to exceed twenty (20) mills, so calculated is hereby levied on all taxable property in said County for the year beginning January 1, 1937, the proceeds to be used for county purposes for the period beginning July 1, 1937, and ending June 30, 1938, as provided in this Supply Act.

§ 3. The county Board of Commissioners is hereby instructed and required to use the moneys herein appropriated for the purposes specified and for no other purpose, or purposes, and they are hereby forbidden to in any way exceed the appropriation herein made for any purpose whatever, except upon the written consent of the Senator and a majority of the Delegation. For the items covered by the appropriation in Section 1 of this Act it shall be unlawful for the treasurer of Horry County to pay from funds in his hands any amount not covered by the appropriation herein made or authorized by the written consent of the Senator and a majority of the Delegation. Any appropriation herein made may be increased or decreased by the written consent of the Senator and a majority of the Delegation.

§ 4. All salaries herein provided are in lieu of fees and under no circumstances shall supplement same. Such salaries when received shall be accepted as a waiver of all claims to fees.

§ 5. The County Treasurer is hereby authorized and empowered to reduce the indebtedness of the county represented by outstanding obligations for borrowed money to such extent and in such sum as cash in the treasury may warrant and he is hereby further authorized and empowered to reborrow such sum or sums as may become necessary under the terms, conditions and provisions of existing law under which County Treasurer has been authorized to borrow money. *Provided, however,* That any sum or sums so borrowed as provided herein shall not exceed in the aggregate the present indebtedness of the county for borrowed money.

§ 6. The Board of County Commissioners is authorized to charge against the appropriation made in Section 1 of this Act for County Office Building such amounts as has, or may be, expended under an authorization given the county Board of Commissioners by the Delegation for construction of a county office building. Such funds may be expended in cooperation with any Federal Agency that will augment such funds. Any other authorization that has, or may be, made by the Delegation is hereby affirmed.

§ 7. That from the funds provided for Jail in the Administrative expenses of Section 1 of this Act, the Jailer of Horry County shall be paid the sum of not exceeding One Hundred (\$100.00) dollars per month for his services as jailer, to be approved by the sheriff of the County and the Jailer shall receive no fees for dieting prisoners. The County Board of Commissioners is authorized and empowered to make purchases of all food, supplies, equipment and any and all things necessary for the proper maintenance of the County Jail and the food and clothing of the prisoners therein.

§ 8. To repair and rebuild the county court house the County Board of Commissioners is hereby authorized to use ten thousand (\$10,000.00) dollars appropriated in Section 1 of this Act for such purpose and to further use any Federal funds that may be available for said purpose.

§ 9. The County Board of Commissioners is hereby authorized and directed to employ a certified public accountant for the purpose of auditing the books and examining the offices of Horry County, and is authorized to make payment for such services not to exceed two hundred fifty (\$250.00) dollars provided for in this Act.

§ 10. Funds appropriated in Section 1 of this Act for the "Poor" may be expended by the County Board of Commissioners through any State or Federal agency that will augment such funds for distribution to needy residents of Horry County.

§ 11. Funds appropriated in Section 1 of this Act for "Hospitalization of Needy Cases" may be expended by the County Board of Commissioners through any State or Federal agency that will augment such funds for hospitalization of needy cases in Horry County.

§ 12. The County Board of Commissioners is authorized to employ a County Attorney and pay same an amount not to exceed that provided for this purpose in Section 1 of this Act. It shall be the duty of the Attorney selected by the County Board of Commissioners to advise all boards, magistrates and officers of the County, and, in addition thereto, it shall be his duty to represent the County in all cases wherein the County's interest is affected, and he shall represent the sheriff's office in criminal proceedings when called upon.

§ 13. The salary and travel provided for the Tax Collector and Deputy Tax Collector in Section 1 of this Act shall be the maximum that can be received by him: *Provided*, His annual salary shall not exceed the fees collected by him during the year.

§ 14. From the appropriation herein made for Magistrates and Constables the following shall be paid if the provisions of this Act are complied with:

Magistrate at Conway	\$ 970.00
Magistrate at Myrtle Beach	850.00
Magistrate at Aynor	450.00
Magistrate at Floyds	500.00
Magistrate at Loris	450.00
Magistrate at Green Sea	350.00
Magistrate at Little River	350.00
	\$ 3,920.00

Provided, Before taking office, each Magistrate shall give bond, in a sum to be fixed by the County Board of Commissioners, conditioned upon the faithful performance of his duties. The premium on said bonds shall be paid by the County.

Constable at Conway	\$ 720.00
Constable at Myrtle Beach	400.00
Constable at Aynor	400.00
Constable at Floyds	400.00
Constable at Loris	400.00
Constable at Green Sea	300.00
Constable at Little River	250.00
	\$ 2,870.00

Provided, That all Magistrates are hereby prohibited from employing as Constables any person related to such Magistrate within the sixth degree.

Provided, The salaries designated in this paragraph for magistrates and constables shall be the maximum that can be received by them. The combined salary of magistrate and constable in any magisterial district shall not exceed the fines collected by the magistrate of that district and paid into the county treasury during the period covered by this Act.

§ 15. All books, supplies and material purchased under the provisions of this Act shall be purchased on orders issued by the Board of County Commissioners, and only by the Board of County Commissioners. The Board of County Commissioners shall have prepared a formal requisition blank, numbered serially, and in duplicate.

Officers and officials of the county desiring books, supplies, or materials provided for in this Act shall make application to the county Board of Commissioners for same on the requisition form provided for this purpose, keeping one copy and filing one with the Board of County Commissioners. The Board of County Commissioners shall secure not less than three bids from competent suppliers for all such books, supplies, or materials. Such bids shall be made on forms supplied by the County Board of Commissioners, and such forms shall carry the serial number of the requisition. The award for purchase shall be made to the lowest competent bidder, and such award shall be made on a formal blank provided for that purpose, such blank shall also carry the serial number of the requisition. *Provided*, The Board of County Commissioners shall have the authority to reject any and all bids. All requisitions, bids, and awards shall be filed together in the office of the Board of County Commissioners, and the certified Public Accountant making the annual examination of the office of the Board of County Commissioners is charged with the duty of checking and reporting as to the faithful performance of these regulations.

§ 16. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 17. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(252)

No. 530.

AN ACT to Authorize and Empower Virgo School District No. 75, Horry County to Borrow the Sum of Not Exceeding Five Hundred (\$500.00) Dollars and to Provide for the Payment Thereof.

Section 1. Virgo School District No. 75, Horry County, borrow pay debt on building.—Be it enacted by the General Assembly of the State of South Carolina: That Virgo School District No. 75, Horry County, is hereby authorized and empowered to borrow the sum of not exceeding five hundred (\$500.00) dollars for the purpose of paying past indebtedness on a new school building.

§ 2. Issue notes.—The Trustees of said Virgo School District No. 75, Horry County, are hereby authorized and empowered to issue

a note or notes for said District for the amount hereby authorized to be borrowed. The said note or notes shall be in such an amount and for such a period of time as the Board of Trustees of said School District may deem best not exceeding five (5) years from date of said note or notes and at a rate of interest not to exceed five (5%) per cent per annum.

§ 3. **Payment.**—The County Auditor of Horry County is hereby authorized and empowered to levy a sufficient tax on the taxable property of said district to pay said note or notes as they become due and payable together with the interest thereon.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 3rd day of April, 1937.

(546)

No. 531.

AN ACT to Provide for the Levy of Taxes for County Purposes for the County of Jasper for the Fiscal Year Beginning January 1, 1937, and for the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of eleven (11) mills for County purposes is hereby levied upon all the taxable property in the County of Jasper for the fiscal year beginning January 1, 1937, if so much be necessary, for the amounts and for the purposes hereinafter stated, respectively, that is to say:

Item 1.

Roads and Bridges	\$ 7,000.00
W.P.A. Administration:	
Supplies and labor for roads and bridges	2,000.00

Provided, that the expenditure of this appropriation can be terminated at any time by the County Delegation, and can also be transferred by the County Delegation to any other appropriation.

Item 2.

Salaries:	
Clerk of Court	\$ 1,200.00

Sheriff	2,100.00
Deputy Sheriff	1,200.00
Auditor	850.00
Treasurer	850.00
Superintendent of Education	1,650.00
Attorney	300.00
Coroner	300.00
Jailer from March 1 to December 31, 1937	180.00
Janitor Court House.....	460.00
Supervisor	2,100.00
Clerk to Supervisor	300.00
Four (4) County Commissioners @ \$150.00 each	600.00
Judge of Probate	425.00
Magistrates:	
Ridgeland	1,050.00
Grays	350.00
Tillman	550.00
Hardeeville	275.00
Constables:	
Ridgeland	1,050.00
Grays	350.00
Tillman	550.00
Hardeeville	275.00
<i>Provided, That no Magistrate holding an in-</i> <i>quest shall receive compensation therefor as</i> <i>his salary is intended to cover such service.</i>	
<i>Provided, That not more than (1/12) one</i> <i>twelfth of any of the above appropriations</i> <i>shall be spent in one month unless a balance</i> <i>remains from some previous month.</i>	

Item 3:

Board of Education	\$ 150.00
Board of Assessors	200.00
Hospitalization and Charity Commission	150.00
Jail Expenses	400.00
Dieting of Prisoners at Jail 50¢ per day	1,200.00
Court Expenses	2,500.00
Public Welfare Fund for November and De- cember 1936	343.22

Public Welfare Fund from Jan. 1 to December 31, 1937	2,500.00
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Provided, That the expenditure of this appropriation can be terminated at any time by the County Delegation and can also be transferred by the County Delegation to any other appropriation.

Vital Statistics	125.00
Post Mortems, Inquest and Lunacy	325.00
Physician	150.00
Public Buildings, including water, fuel, lights and insurance	1,500.00
Bonds Premiums	700.00
Printing, Postage, Stationery and advertising \$	1,200.00
Miscellaneous Contingent	2,300.00
Interest on County Indebtedness	600.00
Old Soldiers and Widows	450.00
Stenographic Aid in Preparing Crop Mortgages	250.00
Audit County Books	300.00
Expenses Farm Agent	400.00
Expenses Home Agent	200.00
Health Unit	1,900.00

Provided, that the Clerk shall be paid \$65.00 per month, and that the Health Nurse be paid \$100.00 a year for traveling expenses.

Rent and fuel W.P.A. Commodity Warehouse.	130.00
Club and Demonstration Expenses:	
Short Course for Women and Girl members..	80.00
Trip to Winthrop (prizes).....	100.00
Boys 4 H Club Camp	125.00
Ladies Club Market to be expended by County Home Agent	25.00
4 H Club (Boys)	50.00
4 H. Club (Girls).....	50.00
Boy Scout Organization	25.00
Rent, Fuel, Lights and maintenance	
Sewing Room Findings	250.00
Hospitalization	800.00
Typewriter, Clerk of Court office.....\$	80.00

Medical Fund for indigent cases to be used by	
County Health Nurse	200.00
Agricultural Building equipment	1,200.00
Boys Agricultural Class, expenses at Camp ..	100.00
Expenses of Tax Sales	100.00
Payment on Tractor	1,750.00
One lot for Agricultural Bldg.	600.00
TOTAL	\$ 51,243.22

§ 2. The Supervisor is hereby authorized and required to pay out of the funds herein appropriated on the first Monday in 1937, to Confederate Soldiers and Widows of Confederate Veterans, at that time alive and residents of Jasper County, Fifty (\$50.00) Dollars each.

§ 3. That the Township Assessors and members of the County Board of Equalization shall receive Three (\$3.00) Dollars per day for the time actually employed and Five (5¢) cents a mile for necessary travel, but the number of days charged for shall not exceed twenty (20) during the year.

§ 4. That in order to meet the appropriations provided for in this Act, the Treasurer, Supervisor, and County Commissioners of Jasper County are authorized and empowered to borrow, as and when needed, such sums as may be necessary, not exceeding a total of Twenty-five Thousand (\$25,000.00) Dollars, and at a rate of interest not exceeding five (5%) per cent per annum, to meet the appropriations and expenditures herein made; and said officers shall execute proper form of notes for Jasper County as evidence of such indebtedness and may pledge the taxes herein levied.

§ 5. That the Supervisor and County Commissioners are herein prohibited from issuing any check to any Magistrates of Jasper County until said Magistrates have filed with them a statement of the names of all parties for whom warrants have been issued during the previous month and the disposition of each case and a receipt from the Treasurer for the fines and costs collected by the Magistrates during the previous month.

§ 6. The Grand Jury of Jasper County is hereby authorized and empowered with the approval of the presiding or resident Judge of the 14th Judicial Circuit to secure a competent accountant to audit the books for Jasper County for the year 1936, and the County Supervisor is hereby authorized, empowered and directed to issue

his warrant for the payment of such services and the Treasurer is authorized and empowered to make payment of same, *Provided*, that the compensation for such audit shall not exceed the sum of Three Hundred (\$300.00) Dollars.

§ 7. That the Supervisor and County Board of Commissioners are hereby authorized and required to pay all claims against the County of Jasper for the month of December, on the 20th day of December, 1937, instead of the first Monday in January, 1938.

§ 8. It is hereby expressly made unlawful for the Supervisor or members of any county board or other officer of the County of Jasper to exceed the appropriations herein set forth, and the act of expending any sum of money in excess of the appropriations herein made, or for purposes not specifically provided herein, or not authorized by the Legislative Delegation of said County, shall be deemed an act of official misconduct, and the officer so offending shall be forthwith removed from office.

§ 9. The Clerk of Court is hereby authorized and required to pay jurors mileage for each day's attendance upon Court.

§ 10. All Acts or parts of inconsistent with this Act are hereby repealed.

§ 11. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(116)

No. 532.

AN ACT to Authorize the Purchase of Land, the Erection, Construction and Furnishing of an Agricultural Building in Jasper County at Ridgeland, and to Provide an Appropriation Therefor and to Provide for the Supervision of Said Building and the Expenditures.

Section 1. Agricultural building, Jasper County—purchase land for—erect—equip.—Be it enacted by the General Assembly of the State of South Carolina: The purchase of land, erection, construction and furnishing of an agricultural building in Jasper County at Ridgeland is hereby authorized and the sum of Three Thousand (\$3,000.00) Dollars is hereby appropriated from any funds in the hands of the Treasurer of Jasper County not otherwise appropriated to cover labor, material and furniture for said building.

§ 2. J. E. Tanner supervise construction—payment of expenses.—That J. E. Tanner is hereby authorized to supervise the construction of said building and the Treasurer of Jasper County is hereby authorized and required to pay any and all claims for said building approved by the said J. E. Tanner not in excess of Three Thousand (\$3,000.00) Dollars.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937.

(65)

No. 533.

AN ACT to Provide for the Levy of Taxes in Kershaw County for County Purposes for the Year 1937 and to Direct the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax sufficient to meet that portion of the appropriation in this Act to be raised by a levy upon the taxable property in the County of Kershaw is hereby levied on such property for ordinary county purposes for the fiscal year beginning January 1, 1937, which shall be expended as herein provided, the amount of such levy to be determined by the County Auditor and Treasurer of said County. The funds accruing to the County from the State on account of any other taxes paid over by the State or any Department of the State Government for general county purposes are likewise appropriated along with the funds received from the said levy.

Item 1. Roads, Bridges, Convicts and Maintenance or
road working organization, gasloine and
gasoline distribution\$ 30,000.00

Item 2. Salaries:

Clerk of Court	800.00
Deputy Clerk of Court	1,200.00
Sheriff	1,800.00
Deputy Sheriff	1,800.00
Superintendent of Education	1,800.00
Treasurer	710.00
Auditor	710.00

Mrs. Kate Gettie—Clerk to the Treasurer and Auditor	1,200.00
<i>Provided, That this Clerk shall perform the duties of Clerk to the Auditor from April 1 to October 1 and perform the work as Clerk to the Treasurer from October 1 to April 1.</i>	
Judge of Probate	600.00
County Road Superintendent	1,800.00
Coroner	400.00
County Attorney , as retainer, and for advice to, and services before, County Board of Directors, and advice to County officials	200.00
Janitor at Jail	420.00
Janitor at Court House	300.00
Clerk to County Directors	400.00
Magistrates' Salaries:	
Magistrate at Camden	900.00
Magistrate at Bethune	360.00
Magistrate at Blaney	360.00
Magistrate at Kershaw	360.00
Magistrate at Upper Flat Rock Township	180.00
Magistrate at Lower Flat Rock Township	180.00
Magistrate at Upper Wateree Township	180.00
Salaries of rural policemen, payable monthly for twelve months:	
Rural policeman, DeKalb Township	1,800.00
Rural policeman, Wateree Township	1,500.00
Rural policeman, Flat Rock Township	1,500.00
Rural Policeman, Buffalo Township	1,500.00
Traveling expenses of rural policemen for twelve months, at Twenty (\$20.00) Dollars per month each	960.00
Uniforms for rural policemen	240.00
Kershaw Guards, Co. M. 118th Inf.	400.00
James LeRoy Belk Post	100.00
American Legion Service Officer	200.00
Item 3: County Boards:	
County Board of Education	100.00
County Board of Directors	1,000.00

County Board of Equalization	250.00
County Board of Registration	200.00
<i>Provided</i> , That the Chairman of the Board of Registration shall receive One Hundred (\$100.00) Dollars and the other two members shall receive Fifty (\$50.00) Dollars each.	
Item 4: Jail expenses, including dieting of Prisoners.. (if so much be necessary) and to be disbursed only upon itemized statements duly filed with the County Board.	2,500.00
Item 5: Jurors and Witnesses	2,250.00
Item 6: County Poor	3,600.00
Item 7: Associated Charities for Support of Kershaw County Orphanage	500.00
Item 8: Post Mortems, Inquests and Lunacy	100.00
Item 9: Public Buildings, including water, lights, fuel and insurance (if so much be necessary)....	1,000.00
Item 10. Printing, postage and stationery	1,250.00
For purchase of necessary supplies for office of Clerk of Court (if so much be necessary) ..	500.00
Premium on bonds of County Officials.....	560.00
Item 11: Miscellaneous Contingent	1,500.00
Item 12. Vital Statistics	235.00
Item 13: County Health Unit	2,500.00
Item 14: Auditing County Books	300.00
Item 15: Kershaw County Council of Farm Women	250.00
Item 16: Clerk to the office of Farm Credit Adminis- tration	780.00
Traveling Expenses of Home Demonstration Agent and telephone expenses	240.00
Item 17: Boys' and Girls' Club Work	100.00
Item 18: Kershaw County Circulating Library, to supple- ment Federal Aid, to be paid the Supervisor thereof upon approval of County Board of Directors	800.00
Item 19: Expense Account of Office of County Farm Agent	240.00

Item 20: For Library located in Camden for use of
citizens of Camden and Kershaw County .. 300.00

Item 21: Office rent for B. P. DeLoach, Rehabilitation
office for Kershaw County 40.00

GRAND TOTAL\$ 75,955.00

§ 2. The Sheriff shall receive in addition to his regular salary, his necessary expenses and five (5¢) cents per mile for each mile traveled in going and returning when called beyond the limits of the County on official business, such as searching for fugitives, conveying prisoners to the State Reformatory and to the State Penitentiary, etc. He shall receive also fifty (50¢) cents per day for dieting each prisoner for each day or fraction thereof, while detained in the County Jail, or otherwise in his custody.

§ 3. The Sheriff shall be allowed Five Hundred (\$500.00) Dollars, if so much be necessary, for criminal work done outside the County, payable upon his itemized order, and approved by the County Board.

§ 4. The Board of Directors of Kershaw County is authorized and directed to borrow for the use of Kershaw County, for the payment of the items above appropriated, the amounts needed to provide for the payment of the same, and shall have no right to borrow for County purposes, or pledge the credit of the County, in excess of the total amount of the above appropriation, except that they may borrow for the renewal or extension of existing indebtedness as may be needed for that purpose. And the said Board of Directors are authorized to execute notes or other evidences of indebtedness for the amount borrowed hereunder, and are empowered and directed to pledge for the payment of the same the full faith and credit of Kershaw County and the taxes levied for the current year and all other funds from whatsoever source coming into the hands of the Treasurer and applicable to County purposes.

§ 5. If any emergency shall arise for the expenditure of a greater amount than hereinabove provided for any purpose, the increased or additional expenditure shall be made only with the approval of the Legislative Delegation, and, when any expenditure is so authorized and approved, the Board of Directors may borrow to the amount necessary for the payment thereof.

§ 6. All funds from whatever source, other than the taxes levied for the current year, together with gasoline and insurance taxes

from the State, coming into the hands of the Treasurer and applicable to County purposes, shall be held by the Treasurer and to be appropriated as ordered by a majority of the Legislative Delegation from Kershaw County.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.

Approved the 19th day of February, 1937.

(434)

No. 534.

A JOINT RESOLUTION to Authorize and Direct the Treasurer of Kershaw County to Make Certain Refunds to the First National Bank of Camden for Taxes Overpaid.

Whereas, in December 1934 the First National Bank of Camden issued preferred stock in the sum of fifteen thousand (\$15,000.00) dollars and the same was outstanding in 1935; and

Whereas, the said preferred stock was assessed for taxation at the rate of forty two and one-half ($42\frac{1}{2}$) mills in 1935; and

Whereas, Because of the bank's failure to make certain lawful deductions it paid taxes in 1935 on an assessment of six thousand five hundred and sixty one (\$6,561.00) dollars, when, if proper deductions had been made it would have paid on an assessment of only one thousand eight hundred and thirty five (\$1,835.00) dollars; and

Whereas, By reason of said error the First National Bank of Camden paid the Treasurer of Kershaw County the sum of two hundred dollars and eighty five (\$200.85) cents in excess of the amount it was due to pay: *Now, Therefore:*

Section 1. Tax refund to First National Bank of Camden by Kershaw County.—Be it resolved by the General Assembly of the State of South Carolina: The Treasurer of Kershaw County is hereby authorized and directed to refund to the First National Bank of Camden the sum of Two Hundred Dollars and Eighty five Cents (\$200.85), being amount paid by the said bank in error as taxes upon assessed valuation of preferred stock in said bank. Said refund shall be paid out of any funds in the Treasury.

§ 2. This Resolution shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(420)

No. 535.

AN ACT to Authorize the Issuance by Kershaw County, South Carolina, of Not Exceeding Thirty Thousand Dollars of Bonds, the Proceeds Thereof to be Used for the Purpose of Paying Past Indebtedness of Said County and for the Building and Improvement of Public Roads in Kershaw County, All or Any of Said Purposes, and to Provide for the Levy and Collection of a Tax to Pay the Principal and Interest of Said Bonds.

Section 1. Kershaw County issue bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Directors of Kershaw County be, and they are hereby authorized and empowered to issue not exceeding thirty thousand (\$30,000.00) dollars of negotiable coupon bonds of Kershaw County, South Carolina, said bonds to be in denomination of one thousand (\$1,000.00) dollars each, shall have such date, bear such rate or rates of interest, not exceeding four (4%) per cent. per annum, mature in such annual series or installments, and be payable at such bank or trust company, in the City of New York, New York, as said Board of County Directors of Kershaw County may by resolution determine.

§ 2. **Use of proceeds.**—So much as is needed of the proceeds of said issue of bonds shall be used by the Board of County Directors for the purpose of paying any or all outstanding indebtedness of Kershaw County, existing at the time of the issuance of said bonds, and the remainder shall be deposited with the Treasurer of Kershaw County and used for the purpose or purposes of building and improving public roads in Kershaw County.

§ 3. **Execution.**—The Bonds issued hereunder shall be executed in the name of Kershaw County by the Chairman and Clerk of the Board of County Directors of Kershaw County, and the seal of said Board shall be affixed to or impressed upon each of said bonds; but the coupons attached thereto need not be authenticated otherwise

than by the facsimile signatures of said Chairman and Clerk lithographed or engraved thereon.

§ 4. Payment.—For the payment of said bonds as they severally mature, and the payment of interest thereon, there shall be pledged the full faith, credit and taxing power of Kershaw County, and there shall be levied annually upon all taxable property in Kershaw County by the County Auditor and collected by the County Treasurer a sum sufficient to pay the interest and principal on said bonds as they respectively mature, and to create a Sinking Fund for that purpose.

§ 5. Additional.—The said bonds herein authorized to be issued are in addition to all other bonds or notes previously authorized to be issued by Kershaw County for any purposes whatsoever.

§ 6. Sale.—Said Bonds shall be sold by the Board of County Directors at either public or private sale, after such notice or call for bids as said Board may determine. The Notice or Call for Bids, however, to reserve the right to reject any and all bids.

§ 7. Purchasers not liable for application of proceeds.—The purchasers of said bonds shall in no way be liable for the application of the proceeds of said bonds to the purposes for which issued.

§ 8. Tax exempt.—The bonds issued under the provisions of this Act shall be exempt from all State, County, School and Municipal taxes.

§ 9. Powers herein additional.—The powers and authority hereby conferred upon the said Board of County Directors shall not be construed to abridge or abrogate, but shall be in addition to the powers and authority enjoyed by the said Board under existing law.

§ 10. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of April, 1937.

(415)

No. 536.

AN ACT to Validate an Issue of Twenty Four Thousand Dollars of Notes of Kershaw County, South Carolina, Dated March 19th, 1937, and Maturing March 19th, 1938.

Section 1. Kershaw County notes dated March 19, 1937, and maturing March 19, 1938, validated.—Be it enacted by the General Assembly of the State of South Carolina: That the issuance by Kershaw County, South Carolina, of twenty-four thousand (\$24,000.00) dollars of notes, dated the 19th. day of March, 1937, ma-

turing on the 19th. day of March, 1938, bearing interest at the rate of two and three-fourths ($2\frac{3}{4}$) per cent. per annum, under the provisions of an Act of the General Assembly of the State of South Carolina, entitled, "An Act to Repeal an Act Entitled 'An Act to Authorize the Board of County Directors for Kershaw County, South Carolina, to Borrow not Exceeding Thirty Thousand (\$30,000.00) dollars,' etc., approved May 7, 1936, and To Authorize the Board of County Directors for Kershaw County, South Carolina, To Borrow Not Exceeding Thirty Thousand (\$30,000.00) Dollars For the Purpose of Building or Improving Public Roads in Kershaw County, and to Refinance Certain Indebtedness Already Incurred by Said County for Said Purpose; To Authorize the Execution and Delivery of the Note or Notes of said County for the Amount Borrowed, or, In Lieu Thereof, in the Discretion of said Board, to Authorize the Issuance and Sale of Negotiable Coupon Bonds of Said Kershaw County, in an Amount not Exceeding Thirty Thousand (\$30,000.00) Dollars; and to Levy a Tax to Pay the Principal and Interest of said Notes or Bonds as the Same Become Due," approved the 23rd. day of May, 1936, be, and the same are hereby validated, and declared to be legal and binding in all respects as obligations of Kershaw County, and the purpose or purposes for which the proceeds of said notes were issued are hereby declared to be valid and corporate purposes of Kershaw County.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of April, 1937.

(645)

No. 537.

AN ACT to Provide for the Levy of Taxes for Ordinary County and Road Purposes for the Fiscal Year, July 1, 1937, to July 1, 1938, and to Provide for the Expenditure Thereof in the County of Lancaster.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax is hereby levied on all of the taxable property of Lancaster County for the fiscal year commencing July 1, 1937, for the amounts and for the purposes hereinafter stated, that is to say:

Item 1. For ordinary county purposes, roads and bridges eight (8) mills. For the payment of

interest and principal on Cheraw and Chester Railroad Bonds, one-fourth ($\frac{1}{4}$) mill. For paying interest on permanent bridge bonds issued under Acts of 1924, one and three-fourth ($1\frac{3}{4}$) mills. For payment of interest and to create a sinking fund for bonds, issued in aid of the Charleston Cincinnati and Chicago Railroad, the following levies are made: Pleasant Hill Township, three-quarters mill; Gills Creek Township, three-fourth ($\frac{3}{4}$) mill; Cane Creek Township, one (1) mill;

- Item 2. The fee for witnesses in the Court of General Sessions shall be fifty (50¢) cents per day and mileage as now provided by law.
- Item 3. The fee for Bailiffs, grand and petit jurors and Court Criers in the Court of General Sessions and the Court of Common Pleas shall be two (\$2.00) dollars per day and mileage as now provided by law.
- Item 4. Roads, bridges, convicts and maintenance of road working organizations\$ 30,000.00
- | | |
|--|----------|
| Sheriff | 2,000.00 |
| County Health Unit | 2,400.00 |
| Travel Expenses—Sheriff | 700.00 |
| Two (2) Deputy Sheriffs | 2,400.00 |
| Travel Expenses (two (2) Deputy Sheriffs ... | 1,000.00 |
| Uniforms for Deputy Sheriffs | 200.00 |
| Clerk Hire for Sheriff | 720.00 |
| Superintendent of Education | 1,500.00 |
| Traveling Expenses Superintendent of Education | 250.00 |
| County Physician | 300.00 |
| County Attorney | 300.00 |
| County Minister | 100.00 |
| Coroner | 360.00 |
| County Board of Education | 240.00 |
| County Board of Equalization | 250.00 |
| Vital Statistics | 285.00 |
| Military Company at Lancaster | 250.00 |

Service Officer American Legion of Lancaster County	1,200.00
Travel Expenses—Service Officer	480.00
Boys and Girls Club Work	100.00
Magistrate Gills Creek Township	900.00
Constable Gills Creek Township	700.00
Magistrate at Kershaw	200.00
Constable at Kershaw	200.00
Magistrate Buford Township	100.00
Constable Buford Township	100.00
Magistrate Cedar Creek Township	100.00
Constable Cedar Creek Township	100.00
Magistrate Cane Creek Township	300.00
Constable Cane Creek Township	300.00
Magistrate Indian Land Township	100.00
Constable Indian Land Township	100.00
Magistrate Pleasant Hill Township	200.00
Constable Pleasant Hill Township	200.00
Magistrate Flat Creek Township	100.00
Constable Flat Creek Township	100.00
Magistrate Waxhaw Township	100.00
Constable Waxhaw Township	100.00
Magistrate of Gills Creek Township shall have concurrent jurisdiction.	

Jailer's salary, fifty (\$50.00) dollars per month payable monthly. Out of the said salary the jailer, under the supervision of the sheriff is hereby required to pay all operating expenses of the jail, except the per diem for dieting prisoners hereinafter provided for and except water rents and electric lights. The Sheriff shall receive, in addition to his salary, his necessary expenses in going and returning when called beyond the limits of the County on official business, and shall receive fifty (50¢) cents, per diem, for dieting each prisoner. The above salary of the Sheriff shall be in full for all services rendered the County, including the summoning of jurors for the Courts of General Sessions and Common

Pleas. The Probate Judge shall receive as part of his compensation the one (\$1.00) dollar now charged for each marriage license. The County Auditor and County Treasurer shall receive the salary provided for by law, two-thirds of which shall be paid by the State under the General Appropriation Bill and one-third of the salary of the Auditor and Treasurer of Lancaster County is hereby appropriated to be determined by the amount appropriated for Auditor and Treasurer of Lancaster County in the State Appropriation Act.

Item 5. The County Board of Commissioners is hereby authorized to set aside out of the road fund such a sum of money as in its judgment may be required in the interim between the regular monthly meetings for use in meeting weekly payrolls for labor and to pay for freight, express, and repairs for machinery; and the County Treasurer is authorized to make disbursements out of said special fund only on itemized and verified claims of the Chairman of the County Board, which claims shall be regularly filed by the County Treasurer with the Board of County Commissioners for formal approval by a majority thereof, the said approval or disapproval shall be recorded in the minutes of the Board. All claims must be made out and listed separately. The Chairman of the Board shall be the purchasing agent of the Board of Commissioners and shall purchase all supplies on their approval and no claims shall be paid except for goods or supplies so purchased. All other claims against the County including direct appropriations herein, shall be paid by the County Treasurer only upon claims approved by the County Board of Commissioners.

Item 6. The Chairman of the Board of Commissioners shall receive a salary of nine hundred

(\$900.00) dollars and each Commissioner shall receive one hundred eighty (\$180.00) dollars.

- Item 7. The sum of sixty-five (\$65.00) dollars per month is hereby appropriated for a deputy at the Lancaster Cotton Mill: *Provided*, Lancaster Cotton Mill shall pay the remainder of said salary each month.
- Item 8. The sum of five hundred (\$500.00) dollars, if so much be necessary, is hereby appropriated to be expended for needy and emergency cases of sickness; *Provided*, That not more than twenty-five (\$25.00) dollars shall be expended on any one person; *Provided, Further*, That each case shall be approved by the County Board of Commissioners, on the recommendation of the County Physician.
- Item 9. The County Board of Commissioners is hereby authorized to pay the salaries of County officers, Magistrates and Constables monthly; *Provided*, The County Board of Commissioners shall not in any event appropriate or expend in excess of the amounts herein appropriated; *Provided, Further*, That the salary herein provided for the Superintendent of Education and the Clerk for the Superintendent of Education shall be paid out of the County Board of Education funds.
- Item 10. It shall be unlawful for any County official or employee to use any automobile, truck, tractor, gasoline or oil or other property belonging to the County except for County purposes.
- Item 11. The sum of three hundred (\$300.00) dollars is hereby appropriated to pay the salary of a clerk to the County Agent for the months of July through December, both inclusive; *Provided*, This sum shall be paid only in the event that neither the Federal nor State Government pay the salary of such clerk during

said period. This sum shall be paid only on the written authority of the Senator and one member of the House of Representatives.

Item 12. The Board of County Commissioners are hereby authorized, empowered and directed to have telephones installed in the following offices: Commissioner's Office, Sheriff's Office, Treasurer's Office, Clerk of Court's Office, Probate Judge's Office, Office of the Superintendent of Education.

Item 13. The Board of County Commissioners are hereby empowered and directed, upon the written authority and approval of the Senator and one member of the House of Representatives to have an audit made of each County office from the time of the previous audit to July 1, 1937. An amount sufficient to defray the costs of such audit is hereby appropriated out of the general funds of Lancaster County. All such audits are to be made by certified public accountants.

Item 14. Each and every Magistrate in Lancaster County is hereby required to file with the Board of Commissioners each month a report showing the name of each party for whom a warrant was issued, the amount of fines collected, sentence given, the cases appealed to the Circuit Court and the cases sent up to the Circuit Court.

It shall be unlawful for the Board of County Commissioners to issue pay warrants to any Magistrate until such report is filed.

Item 15. In order to secure more adequate law enforcement, the Sheriff of Lancaster County is hereby empowered to employ an additional Deputy or Deputies, if such be necessary. This shall be done only on the written direction of the Senator and one member of the House of Representatives. The compensation of such Deputy shall be fixed by the Senator and one

member of the House of Representatives. Such amount as may be fixed by them is hereby appropriated out of the general funds of Lancaster County.

- Item 17. The Board of County Commissioners is hereby authorized to expend not exceeding three thousand (\$3,000.00) dollars to supplement funds from the Works Progress Administration for the construction of various concrete bridges or culverts in Lancaster County.
- Item 18. The Sheriff of Lancaster County is hereby authorized and directed to require all regular Deputy Sheriffs to wear uniforms while on duty, such uniforms shall be a regulation officer's uniform including the cap. *Provided, Further,* That such Deputy Sheriffs shall be required to secure and wear such uniforms within thirty (30) days after their appointment.
- Item 19. In order to promote further extension of the Rural Electric Lines in Lancaster County, the sum of three hundred (\$300.00) dollars is hereby appropriated to be expended for the surveying of Rural Electric Lines in Lancaster County under the supervision and direction of the South Carolina Rural Electrification Authorities. Such surveys shall be made upon the request to the South Carolina Rural Electrification Authorities by a majority of the Lancaster County Delegation including the Senator.
- Item 20. The Board of County Commissioners of Lancaster County are hereby authorized and empowered to spend the sum of eight thousand five hundred (\$8,500.00) dollars for purchasing a tractor, road machines, trucks, or other equipment as may be necessary for the proper maintenance of the roads of Lancaster County.

Item 21. The Treasurer of Lancaster County is hereby authorized, empowered and directed to set aside the sum of five thousand (\$5,000.00) dollars to be known as a "Contingent Fund"; which fund shall be expended for such public purposes as may be necessary in the public interest upon the written instructions of a majority of the Lancaster County Legislative Delegation including the Senator.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 21st day of May, 1937.

(79)

No. 538.

AN ACT to Authorize Payment to R. B. Robinson, Sr., Out of the General School Fund of Lancaster County of the Sum of Fifteen Hundred (\$1,500.00) Dollars.

Section 1. Pay R. B. Robinson, Sr., \$1,500.00 for work on school building program, Lancaster County.—Be it enacted by the General Assembly of the State of South Carolina: That during the years 1935 and 1936, R. B. Robinson, Sr., a member of the Board of Education of Lancaster County, did much valuable work in connection with, and in furtherance of the school building program in Lancaster County; which program was carried on in co-operation with the Federal Public Works Administration. *Further*, that the successful prosecution of this program and the securing of \$110,000.00 from the Federal Government was largely due to the untiring efforts of Mr. Robinson, and such work required much of his time and considerable expense; *Further*, that the Treasurer of Lancaster County is hereby authorized, empowered and directed to pay to R. B. Robinson, Sr., the sum of fifteen hundred dollars as remuneration for his services: *Provided, Further*, that the said amount shall be charged to the General School Fund of Lancaster County.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(493)

No. 539.

A JOINT RESOLUTION to Authorize the Treasurer of Lancaster County to Refund to J. B. Byrd Certain Taxes Erroneously Paid in Lancaster County.

Whereas, during the year 1931, J. B. Byrd erroneously paid to the Treasurer of Lancaster County on a one hundred (100) acre tract of land the sum of Seven & 65/100 (\$7.65) dollars.

Section 1. Tax refund to J. B. Byrd by Lancaster County.—Be it resolved by the General Assembly of the State of South Carolina: That J. B. Byrd is authorized to file his claim with the Treasurer of Lancaster County in the sum of seven and 65/100 (\$7.65) dollars representing the amount of taxes erroneously paid to said Treasurer and the Treasurer is authorized and directed to approve and pay the said claim in the said amount.

§ 2. All Acts or parts of Acts inconsistent with this Joint Resolution are hereby repealed.

§ 3. This Joint Resolution shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(197)

No. 540.

AN ACT to Authorize and Empower the County Treasurer of Lancaster County to Pay, in Advance of Their Maturities, Certain Outstanding Obligations of Said County.

Section 1. Lancaster County pay certain notes issued under act 548, 1933 Acts.—Be it enacted by the General Assembly of the State of South Carolina: That the Treasurer of Lancaster County is hereby authorized and empowered to pay, in advance of their maturities, all notes now outstanding against the County and issued pursuant to authority conferred under the terms of an Act entitled "An Act to Authorize the County Board of Commissioners of Lancaster County To Borrow One Hundred and Twenty-five Thousand (\$125,000.00) Dollars for the purpose of Paying School

Teachers' Salaries and Other School Claims which were Contracted Prior to the 1932-33 School Year and are Still Unpaid, or to Issue Bonds Therefor, or to Issue Notes to the Holders of Said Claims, and to Fix a Levy to Provide for the Payment of said Note, Notes or Bonds, and to Authorize the State Sinking Fund Commission to Make said Loan", approved April 3, 1933 and designated as Act no. 548 of the Acts of the General Assembly for that year. In paying such notes, the Treasurer is directed to pay the principal sums and only such interest thereon as may have accrued to the date of payment. The Treasurer is authorized to make payment of these notes out of such school sinking funds or such other school funds as may be available.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 22nd day of March, 1937.

(203)

No. 541.

AN ACT to Authorize and Direct the Treasurer of Lancaster County to Pay Unto Jeff Hunt Road Machinery Company the Sum of Four Thousand and Fourteen Dollars for Lancaster Soil Conservation Association, and to Provide for the Repayment Thereof.

Section 1. Lancaster County pay account for Lancaster County soil conservation association—repayment.—Be it enacted by the General Assembly of the State of South Carolina: That the Treasurer of Lancaster County is hereby authorized and directed to pay unto Jeff Hunt Road Machinery Company, for and on behalf of Lancaster County Soil Conservation Association, the sum of four thousand and fourteen (\$4,014.00) dollars, same to be paid out of the General Fund of said County; that said sum of money, to be paid as aforesaid, shall be charged to the account of said Lancaster County Soil Conservation Association and by it repaid to Lancaster County in monthly installments of Two Hundred and fifty (\$250.00) dollars each, or in such amounts each month as said association may be able to pay.

§ 2. This Act shall take effect upon its approval by the Governor.

Approved the 24th day of March, 1937.

(257)

No. 542.

AN ACT to Authorize, Empower and Direct the Board of County Commissioners of Lancaster County to Issue Certain Warrants Against the Ordinary County Funds; and to Direct the Treasurer of Said County to Pay Same.

Section 1. Issue warrants pay certain claims, Lancaster County.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Commissioners of Lancaster County is hereby authorized, empowered and directed to issue County warrants against the ordinary County funds of said County as follows:

To—Dr. W. M. Scruggs.....	\$ 175.00
New Charlotte Sanatorium.....	133.00
Miss Nelia Shields.....	54.00
Miss Nair McGill.....	21.00
(Each of which items shall be in full payment of services rendered by Dr. W. M. Scruggs, New Charlotte Sanatorium, Miss Nelia Shields, and Miss Nair McGill to Hollis D. Hilton, Deputy Sheriff of said county)	
To—Lancaster Military Company (for completion of Lancaster Armory).....	\$ 1,000.00
To—South Carolina Game Department (for com- pletion of the Stevens-Springs Fish Hatch- ery)	1,000.00
To—Lancaster County Tuberculosis Association (for care and prevention of tuberculosis) ..	1,500.00
This amount to be paid monthly as needed by the Association.	

§ 2. Pay from ordinary county funds.—The Treasurer of said County is hereby authorized and directed to honor the warrants hereinabove authorized and directed to be issued, and pay the same from ordinary County funds.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 3rd day of April, 1937.

(426)

No. 543.

AN ACT to Authorize the Issuance by Lancaster County, South Carolina, of Bonds in an Amount Not Exceeding Three Hundred Thousand (\$300,000.00) Dollars, the Proceeds Thereof to be Used for the Improvement and Construction of Roads and Bridges in Lancaster County, the Purchase of Machinery, Equipment and Materials Necessary and Incident Thereto, All or Any of Said Purposes, and to Provide for a Tax to Pay the Principal and Interest of Said Bonds.

Section 1. Lancaster County issue bonds for road and bridge improvements and purchase equipment and supplies.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Commissioners of Lancaster County be, and are hereby, authorized, empowered and directed to issue coupon bonds of Lancaster County in an amount not exceeding three hundred thousand (\$300,000.00) dollars, the proceeds thereof to be used for the improvement and construction of roads and bridges in Lancaster County, the purchase of machinery, equipment and materials necessary and incident thereto, all or any of said purposes.

§ 2. Issues—interest—maturities.—The said bonds may be issued either as a single issue or from time to time in separate issues and in such amounts, and at such times as the Board of County Commissioners of Lancaster County shall be requested in writing by a majority of the Lancaster County Delegation to the General Assembly. The bonds shall bear such rate or rates of interest, payable semi-annually, as shall not exceed the maximum rate designated in the request for the issuance of the same, and shall mature at such times and in such series or installments as shall be contained in the said written request; provided, however, that said installments shall be in compliance with the existing provisions of Statute laws of this State.

§ 3. Sale.—The said bonds shall be sold by the Board of County Commissioners of Lancaster County, at not less than par and accrued interest, on sealed proposals, after such publication of the notice of such sale, in such newspaper or newspapers as may be designated by the Board of County Commissioners in their resolutions providing for the issuance of said bonds, reserving the right to reject any and all bids and, in the event that all bids at such sale are rejected, the Board of County Commissioners shall have the right to sell said

bonds at private sale at a price in excess of the highest bid received in pursuance of said call for bids, or in their discretion, to readvertise a call for bids, all of which shall be subject to the approval of the Lancaster County Legislative Delegation.

§ 4. Execution.—The bonds shall be signed by the Chairman of the Board of County Commissioners of Lancaster County, and attested by the Treasurer of Lancaster County, and the Seal of said Board shall be affixed thereto, but the lithographed or engraved signature of said Treasurer of Lancaster County upon the coupons attached to said bonds shall be a sufficient signing of same.

§ 5. Deposit and disbursement of proceeds.—The proceeds derived from the sale of said bonds shall be kept separate and distinct from other funds by the Treasurer of Lancaster County and paid out solely for the purpose or purposes for which issued.

§ 6. Roads and bridges improve—application of proceeds.—The roads and bridges to be improved or constructed from the proceeds of the sale of bonds herein authorized to be issued shall be determined by a majority of the Lancaster County Delegation to the General Assembly, provided, that the purchasers of said bonds shall in no way be responsible for the application of the proceeds of said Bonds to those purposes determined by the said Delegation.

§ 7. Payment.—For the payment of said bonds as they severally mature, and the payment of interest thereon, there shall be pledged the full faith and credit and taxing power of Lancaster County, and there shall be levied annually upon all taxable property in Lancaster County by the Auditor and collected by the County Treasurer, a sum sufficient to pay interest and principal on said bonds as they respectively mature and create a sinking fund for that purpose.

§ 8. Pay engineering and legal fees.—The Board of County Commissioners are hereby authorized, empowered and directed to pay from such bond funds, such engineering fees and attorney fees in connection with the carrying out of the provisions of this Act, as a majority of the Legislative Delegation may approve. Such approval to be in writing to the said Board of County Commissioners.

§ 9. Use pay county taxes—additional.—All bonds issued under authority of this Act shall be receivable at par by the County Treasurer of Lancaster County, in the payment of any taxes due the County of Lancaster. Said bonds shall be receivable by the Treasurer

only after the maturity of the said bonds. The said bonds herein authorized to be issued are in addition to all other bonds previously authorized to be issued by Lancaster County.

§ 10. Lancaster County delegation to the General Assembly or a majority thereof defined.—Whenever the words ‘Lancaster County Delegation to the General Assembly or a majority thereof’ appears in this Act, it shall be construed to mean the Senator and at least one member of the House of Representatives.

§ II. Bonds tax exempt.—Said bonds shall be exempt from all taxes, State, County, School and Municipal.

§ 12. Time Effective.—This Act shall take effect immediately upon its approval by the Governor.

Approved the 30th day of April, 1937.

(484)

No. 544.

A JOINT RESOLUTION to Authorize the Treasurer of Lancaster County to Refund to J. B. Caston Certain Taxes Erroneously Paid in Lancaster County.

Whereas, during the years 1932, 1933, 1934, and 1935, J. B. Caston erroneously paid to the Treasurer of Lancaster County on a one hundred (100) acre tract of land the sum of Twenty-four & 75/100 (\$24.75) dollars.

Section 1. Tax refund to J. B. Caston by Lancaster County.—Be it resolved by the General Assembly of the State of South Carolina: That J. B. Caston is authorized to file his claim with the Treasurer of Lancaster County in the sum of twenty-four & 75/100 (\$24.75) Dollars representing the amount of taxes erroneously paid to said Treasurer and the Treasurer is authorized and directed to approve and pay the said claim in the said amount.

§ 2. All Acts or parts of Acts inconsistent with this Joint Resolution are hereby repealed.

§ 3. This Joint Resolution shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(339)

No. 545.

AN ACT to Provide for the Levy of Taxes for School and County Purposes for the Year 1937 and to Direct the Expenditures Thereof; to Issue Certificates of Indebtedness and to Provide for the Payment of Same; and to Provide for the Borrowing of Money for Laurens County, and to Provide Authority for Peace Officers.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of sufficient number of mills, less the estimated revenue to be received by Laurens County in 1937, to pay the appropriation hereinafter made, the amount of such millage to be determined by the County Auditor, after consulting and with the consent of the Laurens County Delegation, is hereby levied upon all taxable property of Laurens County for County purposes for the fiscal year beginning January 1, 1937, for the amounts and purposes hereinafter stated as follows; to wit:

Item 1. For maintenance of chaingang, roads and bridges estimated\$ 30,000.00

It is intended that all of the funds derived from the gas tax and commutation road tax be and the same are hereby appropriated for the purpose of this item, together with any surplus or unexpended balance in the hands of the County Treasurer from the 1936 gas taxes; and the County Supervisor and County Board of Commissioners of Laurens County are authorized to expend the aggregate of said funds or so much thereof as may be necessary for the purposes of this item.

Item 2. Special Fund to build and repair bridges.....\$ 15,000.00

Item 3. New Machinery\$ 8,600.00
New Machinery to be bought by the Supervisor and the County Board of Commissioners.

Item 4. *Salaries:*

Clerk of Court\$ 2,100.00
Clerk's Assistant 1,080.00
Sheriff 2,000.00

Traveling Expenses of Sheriff	600.00
Bookkeeper for Sheriff	1,200.00
Deputy Sheriffs, five (5) @ \$110.00 per month for twelve months	6,600.00
Traveling expenses for four (4) Deputy Sheriffs at \$30.00 per month for twelve months.....	1,440.00
Treasurer	687.85
Clerical help for County Treasurer	720.00
Auditor	687.85
Clerical help for County Auditor	300.00
Superintendent of Education	1,500.00
Traveling expenses for Superintendent of Edu- cation	300.00
Assistant Superintendent of Education	840.00
Attorney	250.00
Two County Physicians (Total for both)	1,000.00
All County work including post mortems and inquests.	
Medical Supplies\$	200.00
<i>Provided</i> , No Medical Supplies shall be pur- chased except on written approval of the County Physician.	
Coroner	350.00
Supervisor	1,500.00
Traveling expenses for Supervisor	400.00
Two (2) County Commissioners at \$300.00 each	600.00
Traveling Expenses for County Commission- ers, each \$180.00	360.00
Clerk to Board of County Commissioners,...	1,000.00
Judge of Probate	1,500.00
For indexing pensions	25.00
Clerk to Judge of Probate	720.00
Laurens County Library	1,800.00
Military Detachment of Laurens if matched by similar amount by City of Laurens	100.00
Military Companies of Clinton, if matched by similar amount by City of Clinton	200.00
Vital Statistics	310.00
MAGISTRATES:	
City of Laurens	1,000.00

Clerk, for stenographic help in holding inquests and subject to call of Sheriff and/or Solicitor and for any other County investigation ordered by the Delegation	720.00
Clinton	\$ 750.00
Office rent for Magistrates at Clinton	100.00
Constables at Clinton	600.00
Waterloo	175.00
Scuffletown	125.00
Cross Hill	175.00
Youngs	175.00
Jacks	125.00
Gray Court	175.00
Sullivan	150.00
Mountville	90.00
Item 5: COUNTY BOARDS:	
Board of Equalization	800.00
Board of Registration, three (3) at \$100.00 each	300.00
Item 6:	
Jail and Court House Expenses, including repairs on buildings, handcuffs, shot guns and finger print outfit for Sheriff, catching prisoners and dieting prisoners at forty (40¢) cents per day, ...	3,525.00
Item 7:	
Witnesses, Jurors, Bailiffs	4,000.00
<i>Provided</i> , Witnesses shall receive the compensation now provided by law, and all jurors, bailiffs, and the Court Crier in attendance upon the Court of General Sessions and Common Pleas of Laurens County shall receive as compensation the sum of two (\$2.00) dollars per diem and mileage as now provided by law.	
Item 8:	
County Home, Poor House and Poor, for Home, food, clothing, fuel, etc., for inmates and for farming expenses	\$ 3,250.00
Salary for Superintendent and helpers	1,200.00
Additional help with inmates	50.00

Item 9:

Public Buildings, including water, fuel, light and
insurance and telephones 2,560.00

Item 10:

Printing, postage and Stationery 2,000.00

Item 11:

Miscellaneous Contingent 6,000.00
Said amount to be expended only upon the writ-
ten approval of the Senator and a majority
of the Laurens County Delegation in the Gen-
eral Assembly.

Item 12:

Rest Room 650.00

Item 13:

Interest on Current Loans 2,500.00

Item 14:

The Court House Janitor, \$50.00 per month.. 600.00
to be named by the Clerk of Court and shall per-
form such duties as the Clerk of Court shall
prescribe.

Item 15: CLUB WORK:

Boys 4 H Club Work 50.00
Girls Club Work 50.00

Item 16:

For upkeep of Court House Lawn 100.00
The work to be done under the supervision of
the Laurens Civic League and the County
Supervisor.

Item 17:

BENEFITS UNDER THE WORKER'S
COMPENSATION LAW.

For Mrs Mollie Garrett at \$28.47 per month ..\$ 341.64

Item 18:

Health Department 1,000.00

Item 19:

Sewing Room 240.00
 Incidentals and supplies, to be expended, if so
 much be needed, upon the approval of the Sen-
 ator and a majority of the House Delegation.

Grand Total\$115,532.34

Less Estimated Revenues as Follows:

Fees from County Officers\$ 7,500.00

Fines and Forfeitures 2,500.00

From Insurance Commissioner's

office 3,335.00

Gasoline Tax 30,000.00

Total Estimated Revenue \$ 43,335.00

Total to be Raised by Taxation.....\$ 72,197.34

§ 2. That the County Sheriff is hereby authorized and required to make a monthly report to the Laurens County Treasurer and at the same time turn over to County Treasurer all fines and taxes collected during said month. The County Sheriff is hereby forbidden to deposit any monies belonging to the County with his personal account. Said reports to be made on or before the 10th day of each month.

§ 3. The County Treasurer is hereby authorized to use the surplus arising from the tax levy for returns of principal and interest on bonds issued in connection with construction of Georgian, Carolina and Northern railroads, to be transferred to the account of Sullivan Township and used by the Treasurer for payment of principal and interest on railroad bonds for Sullivan's Township.

§ 4. Whereas, the claims against some of the departments of Laurens County for the year 1936 are in excess of appropriation made for these objects, the County Treasurer is hereby authorized to pay these claims from any unexpended balances of other departments for the year 1936 and the Board of County Commissioners are authorized to issue pay warrants for said claims: *Provided*, the total expenditures shall not exceed the total appropriations for that year.

§ 5. That the County Supervisor is hereby authorized and required to make a quarterly report to the Laurens County Delegation

in the General Assembly, giving an itemized and verified statement of all the expenditures pertaining to his office which have been paid by him, and also an itemized statement of all debts and obligations incurred for which Laurens County is liable, said report shall be made on or before April 1st, July 1st, October 1st, and January 1st of each year.

§ 6. That the Supervisor is hereby forbidden from making any debt or obligation for Laurens County not covered by the appropriation herein made and any obligation made by said Supervisor in excess of the levy and appropriation herein made shall not be a debt against Laurens County.

§ 7. That the County Superintendent of Education is hereby authorized and empowered to borrow not exceeding seventy (70%) per cent of taxes for school purposes estimated for the year 1937 for the purpose of paying salaries of teachers and other school purposes, to pledge a tax levy for school purposes and the Constitutional levy for the year 1937 for the payment of the same; *Provided*, That the trustees of the various school districts are authorized and empowered to borrow money for school purposes as above provided upon obtaining the written permission of the County Board of Education.

§ 8. That the Auditor is hereby authorized and required to levy a tax of one (1) mill on all taxable property of Laurens County, the proceeds of said levy to be used for payment of tuition for school pupils residing in school districts where no high school is located, said funds to be apportioned according to enrollment. The funds herein appropriated shall also apply to high schools located in school districts in counties adjacent to Laurens County that receive pupils from school districts in Laurens County where no high school is located.

§ 9. The official bond for the County Supervisor of Laurens County shall be Ten Thousand (\$10,000.00) Dollars. No claims against Laurens County shall be paid until the same shall have had the approval in writing of the County Supervisor and both of the County Commissioners. All expenditures in excess of the appropriation herein made, and not duly authorized by law, made by the County Supervisor and Board of County Commissioners for Laurens County, shall not constitute a valid indebtedness against Laurens County, and all such contracts shall be null and void. The official bond of the County Supervisor and County Commissioners shall be

responsible for all unauthorized expenditures and contracts made by said officers, on behalf of Laurens County.

§ 10. The Board of County Commissioners is hereby authorized to divide the expenditures of such appropriations in monthly payments, and borrow money in sufficient sums to meet the expenses of the current year.

§ 11. In the event of a vacancy or a new recommendation, there shall be appointed and commissioned by the Governor, upon the recommendation of the Sheriff and the head official of the mills herein named, three special deputies to have the usual authority of peace officers, and shall be assigned to duty at Watts Mill, Lydia Mill and Joanna Mill, as the Sheriff may designate, and shall be paid by the Treasurer of Laurens County the sum of ten (\$10.00) dollars each per month and the said three mills may supplement the salaries if they so desire, such appointments to be made for a period of two years, however, same may be revoked by the Governor upon the recommendation of the Sheriff and such mill officials at any time; said deputies must be sworn in office before the Clerk of Court of Laurens County, and shall give the usual bond in the sum of One Thousand (\$1,000.00) dollars, conditioned upon their faithful performance of duty.

§ 12. The Treasurer of Laurens County is hereby required to obtain security for all funds of Laurens which is now or may hereafter be deposited in any bank or banks. The Securities herein required shall be approved by the Sinking Fund Commission.

§ 13. Laurens County being indebted on notes in the sum of Seventy Thousand (\$70,000.00) Dollars, with interest from May 12, 1936, at the rate of six (6%) per centum per annum, payable at Palmetto Bank of Laurens, S. C., the same being represented by three notes Two (2) in the sum of Twenty-five Thousand (\$25,000.00) Dollars each, and One (1) in the sum of Twenty Thousand (\$20,000.00) Dollars, payable May 12, 1937, with interest, for the payment of which an appropriation of one and one-half (1½) mills was levied on the taxable property of Laurens County under the provisions of the Supply Bill of 1936, and it is anticipated that said levy will not entirely pay and liquidate said indebtedness, and therefore the balance due thereon, after application of the amount derived from said taxes thereto, is hereby validated and declared to be legal and binding indebtedness of Laurens County; and the Supervisor and County Treasurer of Laurens County, after applying

the proceeds of said tax on the reduction of said indebtedness, are hereby authorized and empowered to borrow from Laurens County Sinking Fund Commission the sum of Fifty Thousand (\$50,000.00) Dollars or so much thereof as is available to be applied to said indebtedness and to execute and deliver to the holders of said notes the note, or notes, of said County for the balance due on said indebtedness, such renewal notes to mature at a time not exceeding one year from May 12, 1937, and to bear interest at not exceeding six (6%) per centum per annum, both principal and interest to be paid from a tax upon all the taxable property of Laurens County. The Auditor of said County is hereby authorized and directed to levy a tax of — mills upon the taxable property of Laurens County to be applied to the payment of the balance due on said indebtedness, with interest thereon represented, or to be represented by such renewal notes. Such renewal note and notes to Laurens County Sinking Fund Commission shall be binding and valid obligations of Laurens County, and the full faith and credit, and the full taxing power of Laurens County, shall be irrevocably pledged for the payment of said indebtedness or any renewals thereof.

§ 14. The Auditor of Laurens County is hereby authorized and directed to place a sufficient levy upon all the taxable property of Laurens County in an amount that will pay off the outstanding notes of Laurens County, not to exceed Eighteen Thousand One Hundred (\$18,100.00) Dollars, and the Treasurer of Laurens County is hereby authorized, directed and required to collect the tax so levied and use the same for the purposes of paying off and retiring the said notes.

§ 15. The Supervisor of Laurens County is hereby authorized and required to advertise for competitive bids for the purchase of all supplies used by Laurens County including the county home, and shall accept the lowest responsible bidder for the same, and any purchase not made in conformity thereto shall not be a debt against the County.

§ 16. The salaries herein provided for, for the various officers of Laurens County, except Magistrates and their constables shall be in lieu of all fees and costs of whatsoever nature or description collectable by them for services rendered on and after April 1, 1935. All fees, or costs, collected by any of said officers under the law providing for same services thereafter rendered shall be turned over by such officers to the County Treasurer of Laurens County,

monthly together with a statement, under oath, showing the amount collected during the month immediately preceeding such statement. Such fees or costs shall be collected in advance of performing services: *Provided, However,* The costs in civil cases in any of the Courts of Laurens County, the costs on tax executions, and the costs in the Probate Court in estates of deceased persons, infants and lunatics shall not be required to be paid in advance, but the officers shall exercise due diligence in collecting the same, and when collected the same shall be paid over to the County Treasurer of Laurens County, monthly, together with the other fees and costs collected by them. All fees and costs for services rendered or to be rendered, by said officers, on matters pending, prior to April 1, 1935, and not yet collected, shall be when collected, retained by such officers.

§ 17. The Treasurer of Laurens County is hereby authorized and directed to borrow such sums of money as the Senator and a majority of the members of the Laurens County Delegation in the House of Representatives may direct for the purpose of permanent road improvement in Laurens County. *Provided, However,* The said Senator and a majority of said Delegation shall approve the amount, rate of interest, terms and conditions of such loan or loans before the same are obtained, and the full faith, credit and taxing power of Laurens County shall be pledged to secure the payment of any such sum so borrowed.

§ 18. There is hereby levied upon all of the taxable property of Laurens County one-half of one mill, the proceeds of which are hereby appropriated for the insuring, maintenance and operation of the Laurens County Hospital and caring for charity patients therein. The funds hereof to be paid out by the County Treasurer upon warrants issued by the County Board of Commissioners upon claims filed with said Board of Commissioners by the Board of Trustees of the Laurens County Hospital properly verified by the Chairman and/or Secretary of the Board of Trustees. The Board of Trustees of the Laurens County Hospital are hereby authorized and empowered to establish such rules and regulations for the admission and care of charity patients as said Board may deem advisable. The application for charity patients together with the ruling of the Board thereon shall be filed with the County Board of Commissioners with each claim filed against said fund for charity patients. The Board of Trustees of the Laurens County Hospital is hereby directed to file with the County Board of Commissioners each month on or before the

tenth day of the month a statement of the finances and operation of the Laurens County Hospital.

§ 19. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 20. This Act shall take effect upon its approval by the Governor.

Approved the 16th day of April, 1937.

(3)

No. 546.

AN ACT to Exempt Certain Taxpayers of Laurens County, as Hail Sufferers, From Certain Ordinary County Taxes for the Year 1936, and to Provide for the Refund or Remittance of Such Taxes.

Section 1. Hail sufferers exempt from certain taxes, Laurens County.—Be it enacted by the General Assembly of the State of South Carolina: That the County Treasurer of Laurens County is hereby authorized and empowered to remit, refund and/or exempt to the tax payers of Laurens County, ordinary county taxes of any tax payer for the year 1936, upon the property in the township where property of such tax payer was destroyed and/or damaged by hail in 1936: *Provided*, The amount of the taxes of any tax payer so remitted, refunded and/or exempted shall not exceed the amount of damage suffered by such tax payer.

§ 2. **File claim—tax board of assessors approve.**—Every person, firm or corporation claiming a remittance, refund and/or exemption of his or its taxes under the provisions of this Act shall present to the County Treasurer of said County a claim for same. Such claim shall state the location of the property of such tax payer so destroyed or damaged, the amount of damage suffered by such tax payer and shall be sworn to before a Notary Public, or other person authorized to administer oaths under the laws of this state. The said claim before being accepted by the said Treasurer shall be approved by a majority of the Tax Board of Accessors for the township in which the damage occurred. The approval of said claim shall be signed by members of the said board, shall be in writing on or attached to said claim and shall state the following:

“We, the undersigned, have investigated this claim and believe that the facts therein stated are correct and therefore approve same” or some other wording of practically the same effect.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of January, 1937.

(601)

No. 547.

AN ACT to Provide for the Construction of a Certain State Highway in Laurens County Pursuant to Reimbursement Agreement Between the State Highway Commission and Laurens County; to Authorize the Making of Such an Agreement and the Issuance of Laurens County Bonds for Said Purposes, and to Provide for the Payment of Said Bonds.

Section 1. Laurens County issue bonds construct certain state highway.—Be it enacted by the General Assembly of the State of South Carolina: The Board of County Commissioners of Laurens County be, and the same is hereby, authorized to issue serial bonds of Laurens County, upon the conditions hereinafter stated, for the purpose of raising moneys to aid in financing the construction of a certain State Highway hereinafter designated.

§ 2. **Bonds.**—Said bonds shall bear interest at a rate not exceeding four and one-half (4 1/2) per centum per annum, payable semi-annually and shall mature at such time or times, not exceeding twenty (20) years from date of said bonds, and shall be issued in such form and denominations as the Senator and at least one-half of the members of the Delegation from Laurens County in the General Assembly may direct in writing. The said bonds shall be signed by such County officials as shall be designated by the Senator and at least one-half of the members of the Delegation from said County in the General Assembly, and the seal of the Board of County Commissioners of Laurens County shall be affixed to, or impressed upon, the said bonds. The delivery of the bonds shall be valid notwithstanding any change in officials, or seal, occurring after the execution of the bonds. The bonds shall be sold for not less than par and accrued interest. They shall be sold upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale. The award shall be made to the highest bidder, but the County shall have the right to reject all bids and re-advertise the bonds for sale.

§ 3. Enter into reimbursement agreement with state highway commission.—No bonds shall be issued under this Act unless and until the Board of County Commissioners of Laurens County shall have previously entered into an agreement on behalf of such County with the State Highway Commission of South Carolina whereby the State Highway Commission shall have agreed to reimburse and repay said County for the moneys to be advanced by the County to the State Highway Commission pursuant to said agreement. The amount of bonds to be issued shall not exceed the amount necessary, as estimated by the State Highway Commission, or the Chief Highway Commissioner, which amount shall be set forth in the reimbursement agreement. The said Board of County Commissioners may, by the terms of said agreement, agree to advance to the State Highway Commission moneys necessary for the purpose of this Act, and the said Highway Commission may agree to reimburse and repay said County for all moneys so advanced. The said Board of County Commissioners and the State Highway Commission shall have all powers necessary to enable them to carry out said agreement. The State Highway Commission shall reimburse and repay said County as aforesaid out of the funds authorized by other laws to be used for the construction of the State Highway System, and so much of said funds as may be necessary for the purpose of making such reimbursement is hereby pledged irrevocably for said purpose, except the money needed in order to make the payments to which said funds may have been previously pledged, and said pledge is hereby made a part of the contract between said County and the holders of said bonds. All moneys paid or reimbursed to the County by the State Highway Commission pursuant to the provisions of this Act are hereby pledged irrevocably for the purpose of paying the principal and interest of the bonds authorized to be issued pursuant to this Act. This pledge is hereby made a part of the contract between said County and the holders of said bonds. In fixing the time, or times, of maturity of said bonds the Board of County Commissioners of Laurens County shall consider the probable amounts to be received each year by way of reimbursement as aforesaid, and shall endeavor to arrange the time of maturity of said principal so that the levy of a tax will not be necessary in order to pay said principal.

§ 4. State highway commission pay certain interest on bonds—In addition to agreeing to repay and reimburse the principal sum of money to be advanced by the County as aforesaid, the State High-

way Commission is hereby authorized and empowered to agree to repay and reimburse such interest on said bonds as may become due on and after the date or time that the road herein designated would have been constructed by the State Highway Commission in a normal course of construction and without means provided by this Act, such time or times, to be determined by the State Highway Commission.

§ 5. Payment of bonds.—The full faith, credit and taxing power of Laurens County are hereby irrevocably pledged for the punctual payment of the principal and interest of said bonds as such principal and interest become due. The County Auditor of Laurens County is hereby authorized and directed to levy annually on all taxable property of such County a tax sufficient to pay said principal and interest as they respectively become due and the Treasurer of Laurens County is hereby authorized and directed to collect said tax and apply it to said purpose. But all moneys received by the County from the State Highway Department by way of reimbursement under the agreement herein provided for shall be applied to the payment of said principal and interest and to the reduction of said tax. It is the intention of this Act that all bonds issued hereunder shall be direct and general obligations of Laurens County, payable primarily by means of a property tax.

§ 6. Bonds tax exempt.—All bonds issued under the provisions of this Act shall be exempt from all State, County or Municipal taxes.

§ 7. Type of construction.—The construction herein authorized shall include hard surface construction as determined by the State Highway Department.

§ 8. "Highway" and "road" defined.—The term "highway" or "road" as used in this Act shall include bridges and drainage structures.

§ 9. Highway.—The highway, together with necessary bridges, to be constructed with funds made available under the provisions of this Act is, namely: State Highway 56 from its intersection with State Highway 7 South of Clinton to the Newberry County line and also State Highway 66 from Goldville to its intersection with State Highway No. 56.

§ 10. No effect on act 984, 1936 Acts—bonded indebtedness of state highway department and state highway commission.—The provisions of this Act shall not effect the provisions of Act No. 984, Acts of the General Assembly of 1936, which prohibits the State Highway Commission and/or the State Highway Department from

incurring or assuming any bonded indebtedness in excess of the aggregate principal indebtedness of the said Commission and/or Department as of the first day of January, 1934.

§ 11. **Repeal—construction.**—All Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed to the extent of such inconsistency. This Act shall not be construed to be inconsistent with or repealing any other Act or Acts authorizing the issuance of bonds or other obligations for the purpose for which bonds are hereby authorized to be issued, but shall be held and construed to be cumulative thereto.

§ 12. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 15 day of May, 1937.

(317)

No. 548.

A JOINT RESOLUTION to Authorize and Direct the Board of Trustees of Hunter School District # 5 in Laurens County to Turn Over to the County Treasurer of Laurens County Certain Monies in the Sinking Fund of Said School District to be Made a Part of the General Funds of Said School District.

Whereas, the Board of Trustees of Hunter School District No. 5 of Laurens County has on hand \$3,950.58, which amount is a surplus after retiring the bonds for which the Sinking Fund was created: *Now Therefore*,

Section 1. Hunter School District No. 5 transfer certain surplus to its general funds, Laurens County.—Be it resolved by the General Assembly of the State of South Carolina: That the Board of Trustees of Hunter School District #5, Laurens County be, and are hereby authorized, empowered and directed to pay over to the Treasurer of Laurens County the sum of \$3,950.58 which the said Board of Trustees has on hand as a surplus in the Sinking Fund of said School District; being a surplus after retiring the bonds for which the Sinking Fund was created. The said sum to be placed by the County Treasurer in the general funds of said School District.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(308)

No. 549.

AN ACT to Authorize Laurens County, South Carolina, to Issue Coupon Bonds in the Aggregate Amount of Not Exceeding One Hundred and Fifty Thousand Dollars for the Purpose of Building Hard Surface Roads in Said County and to Provide for the Payment Thereof.

Section 1. Laurens County issue bonds hard surface roads.—

Be it enacted by the General Assembly of the State of South Carolina: That Laurens County is hereby authorized to issue its bonds to an amount not exceeding One Hundred and Fifty Thousand (\$150,000.00) Dollars face value for the purpose of providing funds for hard surfacing such roads of the County as may be designated, either before or after the issue of the bonds by the Senator and the majority of the House Delegation.

§ 2. Interest—form.—And the said bonds shall bear interest at the rate of not exceeding four and one-half (4 ½) per centum per annum, payable semi-annually, shall be payable at such time or times and at such place or places and shall be in such form as the Senator and the majority of the House Delegation may direct.

§ 3. Sale.—The said bonds shall be sold by the Senator and the majority of the House Delegation at public or private sale, but for not less than par and accrued interest and the proceeds of such sale shall be turned over to the County Board of Commissioners of Laurens County to be used for the purpose provided in Section 1, of this Act.

§ 4. Execution.—The said bonds shall be signed by the County Treasurer of Laurens County, provided that the interest coupons attached to said bonds may bear his facsimile or lithographed signature.

§ 5. Payment.—For the prompt payment of the principal and interest of the said bonds as they severally become due, the full faith, credit, resources and taxing power of Laurens County are hereby irrevocably pledged. The Auditor and Treasurer of Laurens County are hereby authorized and directed to make a sufficient annual levy upon all taxable property in Laurens County to pay the said principal and interest as the same shall become due.

§ 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(205)

No. 550.

AN ACT to Authorize and Empower the County Board of Commissioners of Laurens County to Borrow an Amount Not Exceeding Eight Thousand (\$8,000.00) Dollars to be Used for the Purpose of Erecting an Agricultural Building and Providing for the Payment of the Same.

Section 1. Laurens County borrow erect agricultural building.—Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Commissioners of Laurens County is hereby authorized and empowered to borrow an amount not exceeding Eight Thousand (\$8,000.00) Dollars to be used exclusively for the purpose of erecting an Agricultural Building in the County of Laurens, the building to be erected to be upon such plans and specifications as the County Board of Commissioners of said County may determine. That the said County Board of Commissioners is hereby authorized and empowered to receive and accept from any federal agency, any funds or aid which may be available or offered them in the aiding of the erection of said building.

§ 2. Issue notes.—To secure the payment of the sums of money authorized to be borrowed in this Act, the County Board of Commissioners of Laurens County is hereby authorized and empowered for, and on behalf of, Laurens County, to issue and deliver notes in the name of Laurens County, in such amounts and having such maturity dates as may be agreed upon by the County Board of Commissioners, and the person or firm from whom such money may be borrowed, provided same shall mature not later than March, 1939, at a rate of interest not to exceed five (5%) per cent per annum, that one-half of the amount herein authorized to be borrowed, shall mature in March, 1938, and the balance in March, 1939.

§ 3. Payment.—That the full faith, credit, and taxing power of Laurens County, is hereby pledged to the payment of the amount borrowed under the provisions of this Act, and the Auditor of Laurens County is hereby authorized and directed to levy on all of the taxable property in said county, a tax sufficient to pay the said sum, together with interest thereon; and the Treasurer of said county shall collect said tax, as other taxes are collected, and apply the same to the payment of the note or notes authorized by this Act, as they may mature, together with interest thereon.

§ 4. **Not borrow until majority legislative delegation direct.**—That the County Board of Commissioners shall not borrow the money hereinabove authorized to be borrowed, until they first have the written direction from the majority of the Delegation from Laurens County, in the General Assembly, to proceed with the erection of said Agricultural Building; and said written authority shall be filed in the office of the County Board of Commissioners for Laurens County.

§ 5. This Act to take effect immediately upon its approval by the Governor.

Approved the 24th day of March, 1937.

(364)

No. 551.

AN ACT to Amend Act No. 205 of the Acts of the General Assembly, 1937, Approved March 24, 1937. and Entitled "An Act to Authorize and Empower the County Board of Commissioners of Laurens County to Borrow An Amount Not Exceeding Eight Thousand (\$8,000.00) Dollars to be Used for the Purpose of Erecting An Agricultural Building and Providing for the Payment of the Same" by Striking Out Section 2 of Said Act and Inserting in Lieu Thereof a New Section to be Known and Designated as Section 2, Providing that Said Loan Shall Mature Within Twelve (12) Months From the Date of Said Loan.

Section 1. Act 550, 1937 Acts, amended—loan for agricultural building mature within 12 months, Laurens County.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 205 of the Acts of the General Assembly of 1937, approved March 24, 1937 and entitled "An Act to Authorize and Empower the County Board of Commissioners of Laurens County to Borrow an Amount Not Exceeding Eight Thousand (\$8,000.00) Dollars to be Used for the Purpose of Erecting an Agricultural Building and Providing for the Payment of the Same", be, and the same is, hereby amended by striking out Section 2 of said Act and inserting in lieu thereof a new Section to be known and designated as Section 2 and to read as follows:

"Section 2: To secure the payment of the sums of money authorized to be borrowed in this Act, the County Board of Com-

missioners of Laurens County is hereby authorized and empowered for, and on behalf of, Laurens County, to issue and deliver notes in the name of Laurens County, in such amounts and having such maturity dates as may be agreed upon by the County Board of Commissioners, and the person or firm from whom such money may be borrowed, *Provided*, That same shall mature within twelve (12) months from the date of said loan and shall bear interest at a rate not to exceed five (5) per centum per annum."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 20th day of April, 1937.

(55)

No. 552.

A JOINT RESOLUTION Requiring the Directors of the Laurens Business League to Refund to the County Treasurer, of Laurens County, the Unexpended Balance of Fund for Advertising the Sale of Farm Lands in Laurens County.

Section 1. Laurens business league pay Laurens County balance of fund advertise farm lands.—Be it resolved by the General Assembly of the State of South Carolina: The Directors of Laurens Business League shall pay over to the County Treasurer, of Laurens County, the balance remaining on hand of the original sum of Five Thousand (\$5,000.00) Dollars paid to said Directors by the County Treasurer in 1926, for the purpose of being used by the said Directors in advertising the sale of farm lands in Laurens County.

§ 2. This Joint Resolution shall take effect upon its approval by the Governor.

Approved the 12th day of February, 1937.

(542)

No. 553.

AN ACT to Authorize Laurens County to Issue Bonds in the Sum of Not Exceeding One Hundred Five Thousand Dollars for the Purpose of Paying Past Due Indebtedness of Said County, and to Validate Such Indebtedness.

Section 1. Laurens County issue bonds pay certain notes.—Be it enacted by the General Assembly of the State of South Caro-

lina: That Laurens County be, and it is hereby, authorized to issue not exceeding One Hundred Five Thousand (\$105,000.00) Dollars, Past Indebtedness Bonds, or so much thereof as may be necessary for the purpose of paying past due indebtedness of Laurens County, which indebtedness is evidenced by a note in the sum of Seventy Thousand (\$70,000.00) Dollars, now held by the Palmetto Bank, and a note of Thirty Five Thousand (\$35,000.00) Dollars, now held by the Sinking Fund of Laurens County. The aforementioned notes are hereby validated and affirmed.

§ 2. Form—maturities.—The bonds herein authorized shall be issued by Laurens County and shall be in such form, shall be dated and shall be payable at such time or times and at such place or places as the Senator and a majority of the Legislative Delegation from Laurens County shall direct and provide.

§ 3. Interest—sale.—Said bonds shall bear interest at the rate of not exceeding five percentum (5%) per annum, payable semi-annually, and said bonds shall be sold by the Legislative Delegation of Laurens County at public or private sale, whichever said Delegation shall deem best, provided that the said bonds shall not be sold for less than par and accrued interest.

§ 4. Use of proceeds.—The proceeds from the sale of said bonds shall be turned over to the County Treasurer of Laurens County and used by him to pay the past due notes herein mentioned validated and affirmed.

§ 5. Execution.—That said bonds shall be signed by the Treasurer of Laurens County, provided that the signature of said Treasurer may be lithographed or engraved upon said interest coupons attached to said bonds, and such lithographed or engraved signature shall be a sufficient signing thereof.

§ 6. Payment.—That it shall be the duty of the County officer of Laurens County charged with the assessment and collection of taxes, to levy and collect such a tax annually, upon the property, real estate and personal, within the County of Laurens, as will raise a sum sufficient to pay the interest and principal of all bonds issued in pursuance of this Act, as the same shall become due.

§ 7. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 8. This Act shall take effect immediately upon the approval by the Governor.

Approved the 13th day of May, 1937.

(382)

No. 554.

AN ACT to Provide for the Levy of Taxes for County Purposes for the County of Lee for the Fiscal Year Beginning January 1, 1937, and for the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the Auditor and Treasurer of Lee County are hereby authorized to place upon all taxable property of Lee County sufficient number of mills to raise the amount stated in the Supply Act for 1937, commencing January 1, 1937.

(a) Road and Bridges:

Convicts and Maintenance of Road

Working Organization—Chain-

gang\$ 21,000.00

Pipe 3,000.00

(Provided WPA furnishes like amount)

Total \$ 24,000.00

(b) Salaries:

Clerk of Court 145.00

Sheriff 1,600.00

Clerk to Sheriff 480.00

Deputy Sheriff 1,000.00

Treasurer 600.00

Clerk to Treasurer 480.00

Auditor 600.00

Clerk to Auditor 300.00

Superintendent of Education.... 1,200.00

Traveling Expenses of Superintendent of Education 300.00

Clerk to Superintendent of Education 600.00

County Attorney 350.00

Physician 365.00

Coroner 225.00

Traveling Expenses of Coroner. 50.00

Janitor for Court House..... 550.00

Jailor 500.00

County Commissioners, Two(2) at \$500.00 and a Chairman at \$750.00	1,750.00	
Traveling Expenses Chairman..	350.00	
Traveling Expenses Commission- ers \$200.00 each	400.00	
Clerk to Board of County Com- missioners	800.00	
Judge of Probate	140.00	
Clerical Help—Judge of Probate Magistrates:	200.00	
Bishopville	800.00	
Deputy to Magistrate at Bishop- ville	600.00	
Clerical help— Magistrate at Bishopville	100.00	
Springhill	245.00	
Ionia	245.00	
Lucknow	375.00	
St. Charles	375.00	
Stokes Bridge	245.00	
Lynchburg	245.00	
Cypress	245.00	
Total		\$ 15,785.00
(c) County Boards:		
Board of Equalization	\$ 600.00	
Board of Conciliation	200.00	
Total		\$ 800.00
(d) Jail expenses, including dieting of prisoners	1,000.00	
Total		1,000.00
(e) Jurors and witnesses	1,500.00	
Total		1,500.00
That the per diem of Grand Jurors and Petit Jurors in the Circuit Court in Lee County shall be		

\$2.00 instead of \$3.00 but that the mileage rate remain as now provided, and that the per diem of witnesses shall be One (\$1-00) Dollar.

(f) Pauper and Poor	\$ 3,500.00	
Farm Expenses	500.00	
Post Mortem and Lunacy	200.00	
Total		4,700.00
(g) Public Buildings, including water, fuel, light and insurance	2,200.00	
Commissioner's Report	25.00	
Total		2,225.00
Two-thirds of rent, heating and lighting expenses of office oc- cupied by County Agent and Government loan office to be paid out of the above fund of \$2,225.00.		
(h) Printing, Postage and Stationery for 1937	500.00	
Total		500.00
(i) Part time Service Officer	240.00	
Total		240.00
That the Lee County Legislative Delegation shall appoint such officer upon the recommenda- tion of the American Legion, Robert E. Lee Post No. 29.		
(j) Miscellaneous Contingent		
Vital Statistics	235.00	
Old Soldiers	200.00	
Miscellaneous Items	3,000.00	
Dental Clinic	1,900.00	
Dental Clinic Supplies and travel- ing expenses for County Den- tist	300.00	

Traveling Expenses for Sheriff and Police Officer	100.00	
Fire Protection for County for fire protection until July, 1938	2,500.00	
Total		\$ 8,935.00
(k) Rural Police		
Rural Policemen, four(4) at \$1,- 200.00 each, per year	4,800.00	
Traveling Expenses for Rural Policemen four at \$200.00 each	800.00	
Total		5,600.00
(l) American Legion Hut and Grounds	100.00	
Extension Course	100.00	
For maintenance of prisoners placed in jail and the State Penitentiary for safe keeping	200.00	
<i>Provided, that no part of this fund shall be disbursed except upon the written approval of the Solicitor of the Third Ju- dicial Circuit.</i>		
Line 97. Seed loan office—Clerical help..	100.00	
Line 98. Public Welfare Department	150.00	
Line 99. Sewing Room Supervisor	438.00	
Line 100. Book for marriage certificate project	35.00	
Line 101. Public Library project	550.0	
<i>Provided, That \$50.00 be used for purchase of equipment.</i>		
Line 102. Hot lunch project	50.00	
Line 103. Lee County Health Department	840.00	
Line 104. Clerical help for Sheriff's office, October, November, December, 1936	225.00	
Total		2,588.00
GRAND TOTAL		67,998.55

Less estimated Revenue Other
Than Taxes:

Commutation Road Tax	\$ 6,000.00
Fines and Licenses, Clerk of Court	500.00
Fines and Costs, Magistrates ..	3,000.00
Other sources	1,000.00
Gas Tax	11,000.00
Beer and Whiskey Tax	2,500.00
Insurance Fees	1,000.00

Total	<u>\$ 25,000.00</u>
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Amount to be raised by Taxation

§ 2. That no funds shall be diverted from any one or more appropriation or appropriations to another without a unanimous written consent of the Delegation, including the Senator.

§ 3. All funds herein appropriated or that may be derived from any and all other sources whatever for the upkeep, maintenance and use of the roads, the county chaingang, or for any other purpose, to be expended by the County Board of Commissioners, shall be expended by the County Board of Commissioners and the said Board shall expend not more than one twelfth of all such funds in any one month during the year and shall render an accounting of the same to each member of the Lee County Delegation at the end of each month, unless otherwise directed in writing by the unanimous consent of the Delegation.

§ 4. The Auditor of Lee County, upon the recommendation of the Superintendent of Education and the County Treasurer is hereby authorized, directed and required to reduce the special levies of the several school districts of Lee County so that the revenue shall not exceed the amount necessary for the operation of the schools of Lee County.

§ 5. The Auditor of Lee County is empowered, authorized and required to levy an additional two (2) mills, if so much be necessary, on all the taxable property of Lee County to operate the schools of the county for such period in addition to the period provided by the State School Legislation, as is necessary to operate the schools of the County for a period of seven months: *Provided*, That Should Lee County Legislative Delegation unanimously,

in writing, so direct, such levy shall be made for another month in addition to the seven months term above provided for.

§ 6. That the County Commissioners be, and they are hereby, authorized to borrow an amount not exceeding Ninety (90%) per cent of the amount to be raised by the above levy, forty-five (45%) per cent of said amount to be borrowed upon the passage of this Bill, and forty-five (45%) on or after July 1, 1937, on notes to be executed by the Chairman of the Board of County Commissioners and the County Treasurer, which notes, when so executed, shall be a lien upon all taxes to be raised by the above levy: *Provided*, That the Sheriff shall receive for dieting prisoners forty-five (45¢) cents per day: *Provided, further*, That the Board of County Commissioners and the County Treasurer are hereby authorized and required to use the money hereby appropriated for the purpose for which the same is appropriated, and for no other purpose, and they are hereby forbidden to in any way exceed the appropriations herein made for any purpose whatsoever, without the written consent of the entire Delegation: *Provided, further*, That if any member of the Board of County Commissioners shall sign his approval of any claim against the County for payment, without having on file in the offices of the County Commissioners the report of the County Treasurer for the last month preceding his approval as may now, or hereafter, be required by law, showing funds available for such claims, the Commissioner or Commissioners so offending shall forthwith be removed from office by the Governor, upon recommendation of a majority of the Lee County Delegation: *Provided, Further*, That the County Commissioners, not later than the fifteenth day of each month, shall deliver by mail or otherwise to each member of the Lee County Legislative Delegation an itemized list of all claims approved for payment during the preceding month and all outstanding liabilities so far as known not then approved for payment.

Provided, Further, That the Magistrates of Lee County shall not collect any greater amount of costs in civil and criminal actions in a settlement, or otherwise, than is now provided for by law in the Code of Laws of South Carolina for 1932, and give a written receipt for the same. That any Magistrate neglecting or refusing to comply with these provisions shall be removed from office by the Governor: *Provided, Further*, That rural policemen shall not receive any checks for collection, nor collect any debt, or debts, his duty being to look after criminals, and violators of the law: *Provided*,

Further, That no purchase shall be made by the County Board of Commissioners without a majority written consent of said Board, and they are hereby prohibited from making purchases from themselves or immediate families or any employee of the said Board.

§ 7. That the Board of County Commissioners are hereby authorized, required and directed to buy on competitive bids all provisions and supplies for the maintenance of the County Chaingang, after having advertised same in the County paper for one issue, place of sale, County Board of Commissioners' office in the Court House of Lee County and in the presence of all members of said Board, or a majority thereof, and in the event no bids are received said Board is authorized to purchase otherwise.

§ 8. That the County Board of Commissioners are hereby authorized, empowered, requested, and directed to keep all County records, books and voucher papers of all kinds in the said Board's office in Lee County Court House provided for same: *Provided*, That the Clerk of said Board shall keep said office open regularly on Mondays, Wednesdays and Saturdays, continuing through the entire year of 1937 and as many other days of the week as the duties of the office demand.

§ 9. The County Board of Commissioners is directed to pay out of the sum of \$2,200.00 to legally elected officers all claims approved by the Superintendent of Education of Lee County for the operation of dental clinics of said County.

The County Board of Commissioners is hereby required to keep accurate accounts of all gasoline used in the work of the chaingang or its employees as follows: Definite records for each truck and tractor must be kept and gasoline issued only upon special blanks signed and approved by the Superintendent of the County Chaingang. Other than county machinery, gasoline can only be used by the Superintendent of the Chaingang.

§ 10. In order to prevent lost motion, duplication of effort, and lack of definite responsibility, the Chairman of the County Board of Commissioners is required to devote his entire time to the direction and operation of the County chaingang, or such part of his time as the Board of Commissioners may determine to be necessary. He shall execute the orders and policies of the Commission, but no authority is denied other members of said Commission nor is the Chairman vested with greater power than his fellow members, but for convenience and better business methods, concentration of execution

is delegated to the Chairman rather than the entire Commission. *Provided*, That in case of the incapacity of the Chairman his duties shall with the consent of the majority of the Lee County Delegation, including the Senator, devolve upon the other members of the County Board.

§ 11. That the Clerk of the County Board of Commissioners is prohibited from issuing vouchers, and the Treasurer is prohibited from issuing his check for any purchase made by the County Board of Commissioners unless such purchase or purchases are made as required by law on a special form and filed in the office of the County Board of Commissioners prior to the actual time of purchase.

§ 12. That all County officers, before making purchases of stationery, shall so notify the County Board of Commissioners in writing and receive the said Commissioners' written approval. Copies of such request and their approval shall be kept on file in the respective offices.

§ 13. That the Magistrate at Bishopville shall have the right to call upon certain rural policemen so designated by the Sheriff to act in the place of constable, which position is now terminated.

§ 14. That the County Commissioners are hereby authorized and required to make purchases of any and all things needed wherever possible in Lee County.

§ 15. That all tax levies provided for in this County Supply Bill shall have the approval in writing of Auditor, Treasurer and a majority of the Delegation of the Members of the General Assembly from Lee County.

§ 15-a. All purchases for the county shall be cash or upon presentation of Bill, except with unanimous consent of delegation.

§ 15-b. County Attorney to cooperate with Chairman of County Board to establish a proper system of records for County and to secure compliance with terms of this Act.

§ 15-c. All applications for hospitalization to be paid for, by County must be approved by County Physician.

§ 15-d. The necessity for pauper burial aid in all cases must be investigated by the County Attorney.

§ 16. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 17. This Act shall take effect upon its approval by the Governor.

Approved the 23rd day of April, 1937.

(131)

No. 555.

AN ACT to Authorize and Direct the Issuance by Lee County, South Carolina, of Bonds of Lee County in Not Exceeding Sixty Thousand (\$60,000.00) Dollars, the Proceeds Thereof to be Used for the Purpose of Paying Past Indebtedness of Said County and Unpaid School Claims of Certain School Districts in Said County, to Validate Said Past Indebtedness and School Claims, and to Provide for the Levy and Collection of Annual Taxes for Payment of Principal and Interest of Said Bonds.

Whereas, there is outstanding and unpaid past due indebtedness of Lee County, South Carolina, aggregating in excess of Forty Thousand (\$40,000.00) Dollars, which said indebtedness is a valid and legal claim against said County; and

Whereas, there are outstanding and unpaid certain valid and legal school claims against various school districts in said County, which claims should long since have been paid but on account of funds of said school districts not being available therefor remain unpaid; and Lee County deems it proper that the County should advance the money to pay said claims; which are to be repaid to the County by said school districts when taxes are levied and collected in said school districts; and

Whereas, provision has been, or is about to be, made by Legislative Act for the levy of such taxes in said school districts, and the payment to the County of said taxes when collected as reimbursement for advances so made.

Section 1. Past indebtedness validated, Lee County.—Be it enacted by the General Assembly of the State of South Carolina: That the past indebtedness of Lee County, consisting of outstanding claims against said County in the amount of Forty Thousand (\$40,000.00) Dollars be, and are hereby, validated and ratified and confirmed as valid and legal obligations of Lee County incurred for County purposes.

§ 2. School claims validated—pay—surplus.—That the Treasurer of Lee County, South Carolina, is authorized, empowered and directed, out of the proceeds of the bonds hereinafter authorized to be issued, to advance to the School Districts in Lee County, which have outstanding unpaid school claims, the sum of \$20,000.00, said school claims not in excess of \$20,000.00, when approved by the Superin-

tendent of Education for Lee County, are hereby validated. The said monies so advanced to be repaid to the County from the proceeds of the annual tax levy provided to be made in each school district for the payment of the claims for which said money is so advanced, as is provided in the Acts passed or to be passed at this session of South Carolina Legislature, requiring such levies to be made. Any portion of said Twenty Thousand (\$20,000.00) Dollars not necessary for the payment of said school claims to be retained by the County Treasurer and placed in the Sinking Fund for the retirement of the bonds hereinafter authorized to be issued.

§ 3. Issue bonds pay such indebtedness.—For the payment of said past indebtedness and school claims, the County Board of Commissioners of Lee County, South Carolina, are hereby authorized and empowered and directed to issue Sixty Thousand (\$60,000.00) Dollars of negotiable coupon bonds of Lee County, South Carolina, said bonds to be in denomination of One Thousand (\$1,000.00) Dollars each, mature in annual series or installments as follows: Three Thousand (\$3,000.00) Dollars in 1938, Four Thousand (\$4,000.00) Dollars in 1939, Five Thousand (\$5,000.00) Dollars in each of the years 1940 and 1944, inclusive, Six Thousand (\$6,000.00) Dollars in each of the years 1945 and 1946, and Eight Thousand (\$8,000.00) Dollars in each of the years 1947 and 1948. They shall bear such date and such rate of interest, payable semi-annually, as may be fixed by resolution of said County Board of Commissioners, provided that said rate of interest shall be fixed by the rate determined on competitive bids. The Bonds shall be signed by the Chairman of the County Board of Commissioners of Lee County and Treasurer of Lee County, and the seal of Lee County impressed thereon, but the facsimile signature of the County Treasurer lithographed or engraved on the interest coupons attached to said bonds shall be a sufficient signing of the same.

§ 4. Bonds—sale.—The said bonds shall be sold by Chairman of County Board of Commissioners at public sale, the call for bids may be made by advertisement in such publication and after such notice as he may determine, and the said Chairman of County Board of Commissioners shall have the right to reject any or all bids.

§ 5. Payment of bonds.—For the payment of said bonds as they severally mature, and the payment of interest thereon, there shall be pledged the full, faith, credit and taxing power of Lee County, and there shall be levied annually upon all taxable property in Lee

County by the County Auditor and collected by the County Treasurer a sum sufficient to pay the interest and principal on said bonds as they respectively mature, and to create a sinking fund for that purpose.

§ 6. **Liability of bond purchasers.**—The purchasers of said bonds shall in no way be liable for the application of the proceeds of said bonds to the purposes for which issued.

§ 7. **Bonds in addition to other.**—The said bonds herein authorized to be issued are in addition to all other bonds or notes previously authorized to be issued by Lee County for any purposes whatsoever.

§ 8. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(126)

No. 556.

AN ACT to Exempt Certain Taxpayers of Lee County, as Hail Sufferers, From Ordinary County Taxes for the Year 1936, and to Provide for the Refund of Such Taxes.

Section 1. Tax relief for hail sufferers, Lee County.—Be it enacted by the General Assembly of the State of South Carolina: That the County Treasurer of Lee County is hereby authorized and empowered to remit, refund and/or exempt to the taxpayers of Lee County, ordinary County taxes of any tax payer for the year 1936, upon the property in the township where property of such taxpayer was destroyed and/or damaged by hail in 1936: *Provided*, The amount of the taxes of any taxpayer so remitted, refunded and/or exempted shall not exceed the amount of damage suffered by such taxpayer, and shall be in proportion to the loss of crop suffered by the taxpayer.

§ 2. **Duties of farm agent and treasurer.**—The County Farm Agent of Lee County shall immediately file with the County Treasurer a report now on file in his office which determines the proportion of loss of crop suffered by various persons by reason of said hail, and the County Treasurer in allowing a refund or remittance of said taxes shall use the proportions so determined in said report.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(130)

No. 557.

AN ACT to Direct the Auditor of Lee County to Levy Annual Taxes Upon Taxable Property in Certain School Districts in Lee County, South Carolina, to Reimburse Lee County for Advances Made to Said School Districts, and to Provide for the Application of Said Taxes When Collected by the Treasurer.

Whereas, there are outstanding unpaid claims of certain school districts in Lee County, South Carolina, aggregating about Twenty Thousand (\$20,000.00) Dollars, a list of which claims is to be filed in the office of the Superintendent of Education of Lee County; and

Whereas, Lee County by Legislative authority has been or is about to be authorized to advance to said School Districts the money necessary to pay said claims, and in order to repay the same over a period of five years a levy is to be made in each District to which the money is advanced, as hereinafter provided,

Section 1. File list of certain school claims with auditor, Lee County.—Be it enacted by the General Assembly of the State of South Carolina: The Superintendent of Education of Lee County, South Carolina, is hereby directed to deliver to the Auditor of Lee County a list of the school claims of the various school districts in Lee County, for the payment of which moneys were advanced by Lee County.

§ 2. Levy taxes pay claims.—Upon receipt of said list the Auditor of Lee County is hereby directed to levy each year during a period of five years a tax upon all taxable property in each school district, shown on said list. The levy each year made shall be such as to produce from each school district one-fifth of the amount so advanced by Lee County to such School District. The Treasurer of Lee County shall place the amounts collected from such levy in the sinking fund created for the purpose of retiring the bonds issued by Lee County, a portion of the proceeds of which were used for the advances made to said school districts, for the payment of said claims, and shall be used for no other purpose.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(111)

No. 558.**AN ACT to Provide for a Levy of Taxes for Lexington County for the Year 1937 and to Direct the Expenditure Thereof.**

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That there is hereby levied a tax of five (5) mills on all taxable property in Lexington County for ordinary County purposes, which, together with all further sums available for ordinary purposes shall be used for the payment of the items hereinafter set forth: *Provided*, That all salaries herein appropriated shall be paid in equal monthly installments, and the total of such items other than salaries shall be expended only if so much be necessary.

Item 1: Administrative Department

A. Salary of County Auditor	\$ 916.66	
(county's part)		
B. Salary of County Treasurer	916.66	
(county's part)		
C. Salary of Clerk of Court	350.00	
D. Salary of County Superintendent of Education	2,000.00	
E. Salary of County Attorney	100.00	
F. Three county commissioners @ \$600.00 each	\$ 1,800.00	
G. Clerk to County Commissioner (full time)	1,000.00	
Total Item 1.		\$ 7,083.32

Item 2: Judicial Department

A. Jurors, witnesses and Bailiffs	4,400.00	
B. Salary of Probate Judge	300.00	
C. Magistrates:		
District No. 1 (Lexington)	600.00	
District No. 2 (Dutch Fork) ...	300.00	
District No. 3 (Batesburg-Lees- ville)*	500.00	
District No. 4 (Swansea)	450.00	
District No. 5 (Brookland)	800.00	
Total Item 2.		7,350.00

Item 3: Law Enforcement

A. Salary of Sheriff	1,100.00
B. Salary of Deputy Sheriff	900.00
C. Constables:	
District No. 2	300.00
District No. 3	400.00
District No. 4	400.00
District No. 5	400.00
Special Constable—Gaston area ..	150.00
Special Constable—Pelion area ..	150.00
D. Jail expenses, including dieting of prisoners three meals per day @ forty cents per day	\$ 1,600.00
C. Coroner's salary	350.00
D. Post mortems, inquests and lunacy	400.00

Total Item 3. \$ 6,150.00

Item 4: Chaingangs, Roads and Bridges

A. District No. 1	14,000.00
Supplement to District No. 1 for Dutch Fork	4,000.00
B. District No. 2.....	14,000.00
C. District No. 3.	14,000.00

Total Item 4. 46,000.00

Item 5: Social Welfare

A. Hospitalization	1,500.00
B. Vital Statistics	300.00
C. Physician for Poor House and Jail	200.00
D. Superintendent of County Home.	800.00
E. Hired help at County Home	100.00
F. Chaplain for County Home	50.00
G. General expenses, county home, inmates and farm	2,500.00
H. Miscellaneous supplies for County nurse	50.00
I. Clerk for County nurse	600.00
J. Social welfare appropriation: Jan- uary and February 1937	450.00

Total Item 5: \$ 6,550.00

Item 6: Court House and Offices

A. Insurance on Public Buildings ..	398.50
B. Water, lights, fuel and repairs— public buildings	2,000.00
C. Janitor for court house	300.00
D. Premium on burglary-theft insur- ance	207.50
E. Premium on bonds for county of- ficials	692.50
F. Rents:	
Office for extension farm agent..	180.00
Office for extension home agent ..	60.00
Seed Loan Office	60.00
County Health office	60.00
G. Filing cabinet, clerk of Court's of- fice	60.00
H. Postage and Incidentals for Au- ditor's office	25.00
I. Postage and incidentals, Superin- tendent of Education's office ..	50.00
J. Postage and incidentals for Com- missioners' office	75.00
K. Printing and stationery, all county offices	1,800.00

Total Item 6.:	5,968.50
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Item 7: Education

A. County Board Fund	\$ 13,000.00
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Total Item 7.:	13,000.00
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Item 8: Miscellaneous

A. National Guard Company, New Brookland	\$ 250.00
B. Board of Equalization	400.00
C. Board of Registration	300.00
D. Travel for county commissioners @ \$200.00 each	600.00
E. Travel—county Superintendent of Education	200.00
F. Boys 4-H Club Camp	50.00

G. Girls 4-H Club Camp.....	50.00
H. Women's Home Demonstration Camp	50.00
I. Miscellaneous contingent fund ...	2,200.00
Total Item 8.	\$ 4,100.00
Grand Total	\$ 96,201.82

§ 2. Funds herein appropriated shall be expended according to the provisions in this Section:

Provided, The Clerk of the County Board of Commissioners shall be required to keep the office of the County Commissioners open six (6) days in each week, all legal holidays excepted.

Provided, Further, All jurors shall receive three (\$3.00) dollars per diem; bailiffs two (\$2.00) dollars per day, witnesses one (\$1.00) dollar per day. *Provided*, Jurors for Magistrates' Court be paid fifty (50¢) cents for each case and that not more than one hundred (\$100.00) dollars be allowed for such jurors from Item 8-I.

Provided, Further, Probate Judge retain the one (\$1.00) dollar marriage license fee.

Provided, Further, That the Deputy Sheriff shall serve as Constable for Magistrate of District No. 1.

Provided, Further, That not more than fifty (\$50.00) dollars be allowed any Magistrate's Constable for travel in criminal cases. *Provided*, The deputy sheriff be given the same allowance when traveling for Magistrate of District Number 1. Travel herein provided shall be paid from Item 8-I.

Provided, Further, That the sheriff of Lexington County be allowed not more than five hundred (\$500.00) dollars per year for apprehension and transporting of prisoners during the life of this act. This appropriation shall be paid from Item 8-I.

Provided, Further, That not more than seven (\$7.00) dollars shall be paid for electric current supplies to the county jail, including the residence of the jailor in any one month, and when the electric bill shall exceed seven (\$7.00) dollars in any one month, the excess shall be paid by the Sheriff or the Jailor.

Provided, Further, The Sheriff shall not be allowed more than forty cents per day for dieting prisoners.

Provided, Further, That no physician shall receive more than five (\$5.00) dollars for each lunacy examination, and when two such ex-

aminations are required, one of these examinations shall be made by the county physician without cost to the county.

Provided, Further, That the funds herein appropriated for each of the three districts under Item 4 shall be used exclusively within the district for which appropriated and of this appropriation there shall not be expended in either of these districts more than one-fourth of this appropriation during any one quarter of the year, and that no employee in the aforesaid district shall receive a salary of more than sixty-five (\$65.00) dollars per month. If and when one-fourth of this appropriation is expended in any district before the end of the quarter no other expenditures shall be made during such quarter and work shall discontinue in such district except upon the written consent of a majority of the Legislative Delegation, one of whom shall be the Senator.

Provided, Further, That all Magistrates shall send persons sentenced to serve time to the nearest chaingang.

Provided, Further, That if any magistrate shall impose a fine less than the minimum fixed by law for such offense, or shall suspend any fine after imposing same, such magistrate shall be forced to pay the difference and such difference shall be deducted from his salary.

Provided, Further, That the Hospitalization Fund shall be expended for charity cases recommended by the county nurse and approved by a majority of the County Welfare Board. No one patient shall receive more than thirty (\$35.00) dollars of the Hospitalization Fund, unless approved by a majority of the county Legislative Delegation.

Provided, Further, That the physician employed for Poor House and Jail shall assist in post mortem and lunacy examinations if his services are required by proper officials without extra pay beyond the two hundred (\$200.00) dollars herein appropriated.

Provided, Further, That the Superintendent of the County Home is hereby directed to buy a range for the County Home to be paid for from funds appropriated in Item 5-G. The superintendent is further authorized to expend forty-four (\$44.00) dollars from Item 5-G for labor.

Provided, Further, That the amount herein appropriated under Item 5-J shall be paid over to the proper Federal Relief Agency to be expended for charity cases on the condition that the Federal Government will supply two (\$2.00) dollars to every one (\$1.00) dollar which the county herein appropriates.

Provided, Further, That fuel for the Court House be bought by the County Commissioners upon competitive bids.

Provided, Further, That all repairs upon public buildings amounting to more than one hundred (\$100.00) dollars shall be done by the consent of the majority of the County Commissioners and the majority of the County Legislative Delegation.

Provided, Further, That the supervision of the Court House janitor shall devolve upon the Clerk of County Commissioners, except during the time court is being held, then he shall be under the supervision of the Clerk of Court.

Provided, Further, That no county official shall receive postage except those provided for in this Act. In event the amounts provided for postage are insufficient, the commissioners are authorized to pay for same from the miscellaneous contingent account.

Provided, Further, That requests from the various county officers for printing and stationery be made in writing to the county commissioners.

Provided, Further, That the County Commissioners shall purchase all stationery for the use of the county at the best price obtainable.

Provided, Further, That when any officer of the county desires new office equipment or replacement, or extraordinary services in connection with his office he shall file requests in writing, with the Board of County Commissioners, and the said Board of Commissioners shall have the consent of the majority of the County Delegation before ordering the purchase of any equipment or replacement, or approving any extraordinary services; and no officer of the county shall have any authority to make contracts of purchase, or other obligations than the authority now conferred by law.

Provided, Further, That the County Commissioners are directed to pay for the expense of the jail referendum which was held January 30, 1937 from the contingent fund.

Provided, Further, That the county board fund under Item 7 shall be expended by the county board of education in its discretion for the benefit of weak schools and non-resident high school pupils. The salaries of the members of the County Board of Education shall be paid from this fund at the rate of five (\$5.00) dollars per meeting and mileage at the rate of five (5¢) cents per mile. The County Board of Education is hereby granted the privilege of formulating rules and regulations for the expenditure of this fund.

Provided, Further, That the county Board of Commissioners shall not appropriate any sums for the publishing of school claims in any newspaper.

Provided, Further, That the county commissioners shall require itemized statements showing unit price and quantity of all supplies purchased by them. These statements must be filed with the clerk of the county commissioners within ten days after the end of each month; failure to do so makes any claim against the county null and void.

Provided, Further, That the county commissioners shall be required to pay each county employee for wages or services rendered by a separate voucher.

Provided, Further, That the county commissioners are hereby required to keep a separate account covering the various items of the supply bill and not to exceed in expenditures or contract the amount herein provided for each item, and for any excess allowed or permitted said officers shall be held liable on their official bond. The Clerk of the board of county commissioners shall make quarterly statements of expenditures and balances of the different items, both to said board and to each member of the legislative delegation from Lexington County.

Provided, Further, That any deputy, if appointed by the sheriff, shall enter into bond in the usual form for public officials in the sum of three thousand (\$3,000.00) dollars, conditioned upon the faithful performance of his duties.

Provided, Further, That each magistrate in Lexington County, except the Magistrate in District No. 1, shall have the power to appoint his respective constable; *Provided,* That it shall be the duty of each magistrate in Lexington County to certify to the board of commissioners within five (5) days after his qualification, the name of his constable, and in the case of a change of constable, each magistrate making such change shall forthwith certify the change to the Board of County Commissioners; and the said Board of County Commissioners shall issue no voucher to anyone as a Constable whose name has not previously been certified by the magistrate as above provided, and no payment shall be made to any magistrate for Constable services. *Provided, Further,* That the Magistrate of District No. 5 pay from the fines collected by him \$87.50 per month to his constable for full time services doing police patrol in District No. 5.

Provided, Further, That the county Board of Commissioners shall require the Sheriff to remit a monthly report to their office, showing the number of prisoners fed each day, and said report shall consist of the name and number of each prisoner, and that the said report shall be in the form of an affidavit.

Provided, Further, That the said report of the Sheriff shall be included in and constitute a part of the records of the office of the Board of Commissioners. The said report of the sheriff shall be placed in the hands of the County Board of Commissioners by the first Monday of each month and be recorded in the ledger book.

Provided, Further, That the county Board of Commissioners shall require that all claims presented to their office shall be itemized in full; and that the said claims shall be included in and constitute a part of the records of the office of the board of commissioners.

Provided, Further, The county treasurer is hereby directed to transfer the eight thousand seven hundred and eighty dollars and (\$8,780.26) twenty-six cents which is a profit on Peoples' State Bank Securities to the County Ordinary Account.

Provided, Further, That the County Treasurer and the County Commissioners are authorized to borrow such sums of money not to exceed twenty thousand (\$20,000.00) dollars at the best obtainable rate of interest to meet the expenditures specified in this Act, if same shall become necessary during the life of this Act. *Provided,* The full faith, credit and taxing power of Lexington County shall be irrevocably pledged to the payment of any such loan or loans hereinabove provided for.

§ 3. All appropriations herein made are subject to the right and authority of the Senator and a majority of the county delegation to alter, increase, deduct therefrom or transfer funds from one account to another at any time without notice when in their judgment such alterations, increase, deductions or transfers are necessary for the best interest of the county, and/or to conform with the revenue expected during the life of this Act. All funds provided for herein which are not expended by December 31, 1937, shall revert back to the County Ordinary Account.

§ 4. County Commissioners shall have no authority to issue claims or vouchers for any amount and for any purpose whatsoever unless provided for in this act. Any county official acting in violation of the provisions herein made shall be subject to punishment by the

courts as provided in the general statutes of the State of South Carolina.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937.

(520)

No. 559.

AN ACT to Amend Section 2 of An Act Entitled "An Act to Provide for a Levy of Taxes for Lexington County for the Year 1937 and to Direct the Expenditure Thereof", Approved February 25, 1937, so as to Place Further Limitations Around the Expenditure of the Appropriations and to Clarify the Provisions of Said Act.

Section 1. Act 558, 1937 Acts, amended—expenditure of appropriations for 1937, Lexington County—duties and powers of certain officials—borrow.—Be it enacted by the General Assembly of the State of South Carolina: That Section 2 of an Act entitled "An Act to Provide for a levy of Taxes for Lexington County for the year 1937, and to Direct the Expenditure Thereof", Approved February 25, 1937, be, and the same is hereby changed, altered and amended to read as follows:

Section 2: Funds herein appropriated shall be expended according to the provisions in this Section:

Provided, The Clerk of the County Board of Commissioners shall be required to keep the office of the County Commissioners open six (6) days each week, all legal holidays excepted.

Provided, Further, All jurors shall receive three (\$3.00) Dollars per diem; bailiffs two (\$2.00) dollars per day, witnesses one (\$1.00) dollar per day, *Provided*, Jurors for Magistrates' Court be paid fifty (50¢) cents for each criminal case from Item 8-I.

Provided, Further, Probate Judge retain the One (\$1.00) dollar marriage license fee.

Provided, Further, That the Deputy Sheriff shall serve as Constable for Magistrate of District No. 1.

Provided, Further, That not more than fifty (\$50.00) dollars be allowed any Magistrate's constable for travel in criminal cases,

unless approved by a majority of the County Board of Commissioners. *Provided*, The Deputy sheriff be given the same allowance when traveling for Magistrate of District Number 1. Travel herein provided shall be paid from Item 8-I.

Provided, Further, That the Sheriff of Lexington County be allowed not more than five hundred (\$500.00) dollars per year for apprehension and transporting of prisoners during the life of this Act. This appropriation shall be paid from Item 8-I.

Provided, Further, That not more than seven (\$7.00) dollars shall be paid for electric current supplies to the county jail, including the residence of the jailor in any one month, and when the electric bill shall exceed seven (\$7.00) dollars in any one month, the excess shall be paid by the Sheriff or the Jailor.

Provided, Further, The Sheriff shall not be allowed more than forty cents per day for dieting prisoners three meals per day.

Provided, Further, That no physician shall receive more than five (\$5.00) dollars for each lunacy examination.

Provided, Further, That the funds herein appropriated for each of the three districts under Item 4 shall be used exclusively within the district for which appropriated and of this appropriation there shall not be expended in either of these districts more than one-fourth of this appropriation during any one quarter of the year, and that no employee in the aforesaid district shall receive a salary of more than sixty-five (\$65.00) dollars per month. If and when one-fourth of this appropriation is expended in any district before the end of the quarter no other expenditure shall be made during such quarter and work shall discontinue in such district except upon the written consent of a majority of the Legislative Delegation, one of whom shall be the Senator.

Provided, Further, That all Magistrates shall send persons sentenced to serve time to the nearest chain gang.

Provided, Further, That if any magistrate shall impose a fine less than the minimum fixed by law for such offense, or shall suspend any fine after imposing same, such magistrate shall be forced to pay the difference and such difference shall be deducted from his salary.

Provided, Further, That the Hospitalization Fund shall be expended for charity cases recommended by the county nurse and approved by a majority of the County Welfare Board. No one patient shall receive more than thirty (\$30.00) dollars of the Hospitalization

Fund, unless approved by a majority of the County Legislative Delegation.

Provided, Further, That the Superintendent of the County Home is hereby directed to buy a range for the County Home to be paid for from funds appropriated in Item 5-G. The Superintendent is further authorized to expend forty-four (\$44.00) dollars from Item 5-G for labor.

Provided, Further, That the amount herein appropriated under Item 5-J shall be paid over to the proper Federal Relief Agency to be expended for charity cases on the condition that the Federal Government will supply two (\$2.00) dollars to every one (\$1.00) dollar which the county herein appropriates.

Provided, Further, That fuel for the Court House be bought by the County Commissioners upon the competitive bids.

Provided, Further, That all repairs upon public buildings amounting to more than one hundred (\$100.00) dollars shall be done by the consent of the majority of the County Commissioners and the majority of the County Legislative Delegation.

Provided, Further, That the supervision of the Court House janitor shall devolve upon the Clerk of County Commissioners, except during the time court is being held, then he shall be under the supervision of the Clerk of Court.

Provided, Further, That no county official shall receive postage except those provided for in this Act. In event the amounts provided for postage are insufficient, the commissioners are authorized to pay for same from the Item 6-K.

Provided, Further, That requests from the various county officers for printing and stationery be made in writing to the county Commissioners.

Provided, Further, That when any officer of the County desires new office equipment or replacement, or extraordinary services in connection with his office he shall file requests in writing, with the Board of County Commissioners, and the said Board of Commissioners shall have the consent of the majority of the County Delegation before ordering the purchase of any equipment or replacement, or approving any extraordinary services; and no officer of the county shall have any authority to make contracts of purchase, or other obligations than the authority now conferred by law.

Provided, Further, That the County Commissionera are directed to pay for the expense of the jail referendum which was held January 30, 1937, from the contingent fund.

Provided, Further, That the County Board fund under Item 7 shall be expended by the County Board of Education in its discretion for the benefit of weak schools and non-resident high school pupils. The salaries of the members of the County Board of Education shall be paid from this fund at the rate of five (\$5.00) dollars per meeting and mileage at the rate of five (5¢) cents per mile. The County Board of Education is hereby granted the privilege of formulating rules and regulations for the expenditure of this fund.

Provided, Further, That the County Board of Commissioners shall not appropriate any sums for the publishing of school claims in any newspaper.

Provided, Further, That the County Commissioners shall require itemized statements showing unit price and quantity of all supplies purchased by them. These statements must be filed with the Clerk of the County Commissioners within ten days after the end of each month; failure to do so makes any claim against the county null and void.

Provided, Further, That the County Commissioners shall be required to pay each County employee for wages or services rendered by a separate voucher.

Provided, Further, That the County Commissioners are hereby required to keep a separate account covering the various items of the supply bill and not to exceed in expenditures the amount herein provided for each item, and for any excess allowed or permitted said officers shall be held liable on their official bond. The Clerk of the Board of County Commissioners shall make quarterly statemensnts of expenditures and balances of the different items, both to said Board and to each member of the Legislative Delegation from Lexington County.

Provided, Further, That any deputy, if appointed by the sheriff, shall enter into bond in the usual form for public officials in the sum of three thousand (\$3,000.00) dollars, conditioned upon the faithful performance of his duties.

Provided, Further, That each magistrate in Lexington County, except the Magistrate in District No. 1, shall have the power to appoint his respective constable; *Provided,* That it shall be the duty of each magistrate in Lexington County to certify to the Board

of Commissioners within five (5) days after his qualification, the name of his constable, and in the case of a change of constable, each magistrate making such change shall forthwith certify the change to the Board of County Commissioners; and the said Board of County Commissioners shall issue no voucher to anyone as a constable whose name has not previously been certified by the magistrate as above provided, and no payment shall be made to any magistrate for Constable services, *Provided, Further, That* the County Commissioners and the County Treasurer are authorized, and directed to pay from County Ordinary Funds Eighty-seven & 50/100 (\$87.50) Dollars per month to the Constable of magisterial district No. 5 for full time services doing police patrol in District No. 5.

Provided, Further, That the County Board of Commissioners shall require the Sheriff to remit a monthly report to their office, showing the number of prisoners fed each day, and said report shall consist of the name and number of each prisoner, and that the said report shall be in the form of an affidavit.

Provided, Further, That the said report of the Sheriff shall be included in and constitute a part of the records of the office of the Board of Commissioners. The said report of the sheriff shall be placed in the hands of the County Board of Commissioners by the first Monday of each month and be recorded in the ledger book.

Provided, Further, The sheriff and magistrates shall notify the County Board of Commissioners within twenty-four (24) hours of the conviction of any prisoner sentenced to serve time on the County chain gang, and it shall be the duty of the County Board of Commissioners to transport said prisoners to their respective gangs.

Provided, Further, That the County Board of Commissioners shall require that all claims presented to their office shall be itemized in full; that the said claims shall be included in and constitute a part of the records of the office of the Board of Commissioners.

Provided, Further, The County Treasurer is hereby directed to transfer the eight thousand seven hundred and eighty dollars and (\$8,780.26) twenty-six cents which is a profit on Peoples' State Bank Securities to the County Ordinary Account.

Provided, Further, That the County Treasurer and the County Commissioners are authorized to borrow such sums of money, not to exceed twenty thousand (\$20,000.00) dollars at the best obtainable rate of interest to meet the expenditures specified in this Act, if

same shall become necessary during the life of this Act, *Provided*, The full faith, credit and taxing power of Lexington County shall be irrevocably pledged to the payment of any such loan or loans hereinabove provided for.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(354)

No. 560.

AN ACT to Authorize and Empower the Trustees of Samaria School District No. 60 of Lexington County to Borrow a Sum of Money Not Exceeding Twelve Hundred (\$1200.00) Dollars for the Purpose of Refinancing Bonds of Said School District Now Outstanding and to Provide for the Payment of Same.

Section 1. Samaria School District No. 60 borrow retire or refinance outstanding bonds, Lexington County.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Samaria School District No. 60, Lexington County are hereby authorized and empowered to borrow from the State Sinking Fund Commission of South Carolina, or from other available sources, a sum of money not exceeding twelve hundred (\$1200.00) dollars which shall be used for the purpose of retiring or refinancing bonds now outstanding of the said Samaria School District No. 60 of Lexington County.

§ 2. **Issue notes.**—That in order to secure the payment of the money herein authorized to be borrowed, the Trustees of School District No. 60 of Lexington County are authorized and empowered to execute twelve (12) notes to the lender in the amount of one hundred (\$100.00) dollars each and mature one each year, beginning one year from the date of issue, and one note thereafter in each succeeding year until the said notes are paid, with a rate of interest not exceeding six per cent (6%) per annum.

§ 3. **Payment.**—The Auditor of Lexington County is hereby authorized and directed to place a sufficient levy upon all the taxable property of Samaria School District No. 60 of Lexington County and to pay the notes and interest thereon as the same may become due and the Treasurer of Lexington County is hereby authorized and directed to collect the tax so levied as all other taxes are col-

lected and to pay the notes herein authorized. The full faith, credit and taxing power of the said School District No. 60 of Lexington County is hereby pledged to the payment of the said notes and interest.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 16th day of April, 1937.

(134)

No. 561.

AN ACT to Authorize the Town of Batesburg to Issue Refunding Bonds and to Refund Certain Outstanding Obligations of the Town of Batesburg, and to Provide for a Tax to Pay the Principal and Interest of Said Bonds, and to Authorize Said Town Upon Certain Contingency to Sell Said Bonds or a Part Thereof.

Whereas there are outstanding Ninety-eight Thousand (\$98,000.00) Dollars of Water and Sewer Bonds of the Town of Batesburg, dated June 1, 1920; and

Whereas, it is the desire of the Town Council of the Town of Batesburg to issue Ninetyeight Thousand (\$98,000.00) Dollars of Bonds with which to refund said outstanding bonds; *Now, Therefore*

Section 1. Town of Batesburg issue refunding bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the Town Council of the Town of Batesburg, South Carolina, be, and it is hereby authorized and empowered to issue refunding bonds of the Town of Batesburg in an aggregate principal amount of Ninety-eight Thousand (\$98,000.00) Dollars for the purpose of refunding the outstanding bonds of the Town of Batesburg, viz: Ninety-eight Thousand (\$98,000.00) Dollars of Water and Sewer Bonds of the Town of Batesburg, dated June 1, 1920.

§ 2. **Issues—denominations—maturities—registration.** — The said bonds may be issued either as a single issue or from time to time as separate issues. Each issue of bonds shall be in such denominations, bear such rate or rates of interest not to exceed four (4%) per cent. per annum, payable, as may be fixed by the Town Council of the Town of Batesburg, and shall be payable, both principal and interest, in any legal tender money of the United States at such place or

places, and mature in such annual series or installments as may be fixed by the Town Council of the Town of Batesburg in the Ordinances or Resolutions authorizing such issue or issues, provided that the last maturing installment of each issue shall not be more than thirty (30) years from the date the issue bears. Such annual series or installments may be equal or unequal in amount and in the rate of interest they bear. The bonds shall be issued as coupon bonds, payable to bearer, but may be issued with the privilege to the holder of having them registered as to principal on the books of the Town Treasurer of Batesburg, South Carolina and the principal thus made payable to the registered holder upon such conditions as the Town Council of Batesburg may prescribe; bonds so registered in the name of the holder may thereafter be registered to bearer and made payable accordingly.

§ 3. Execution.—The bonds shall be signed by the Mayor of the Town of Batesburg attested by the Town Treasurer, under the corporate seal of the Town of Batesburg, but the interest coupons attached to said bonds need not be authenticated otherwise than by the facsimile signature of the Town Treasurer who is in office on the date the bonds bear. The delivery of the bonds so executed shall be valid notwithstanding any changes in officers occurring after such execution.

§ 4. Exchange.—The Town Council of Batesburg is hereby authorized and empowered to exchange at not less than par and accrued interest any or all of said bonds for an equal principal amount and accrued interest of outstanding bonds, for the refunding of which this issue is authorized, such exchange being hereby authorized to be made before, at the time of, or after the maturity of such outstanding bonds, and for the purpose of effecting such an exchange said refunding bonds may bear date prior to the maturity of said outstanding bonds. Said exchange to be made in such manner as may by Ordinance or Resolution of the Town Council of Batesburg be prescribed.

§ 5. Sell—disposition of proceeds.—In the event exchange cannot be made for all the outstanding bonds, then the Town Council of Batesburg may be, and is hereby authorized and empowered to sell at either private or public sale, in such manner as the Town Council may deem advisable, such of the remaining refunding bonds of which no exchange has been effected, the proceeds of such sale shall be deposited with the Town Treasurer and kept by him

in a special fund and applied solely to the payment of the then outstanding bonds to refund which such were issued. *Provided, However,* That any portion of such proceeds not needed for such purpose may be used for the payment of the expense of issuing and selling such bonds, or placed in a Sinking fund to be used solely for the purpose of paying the interest or principal of such bonds as it becomes due.

§ 6. **Payment.**—There shall be levied and collected annually a tax upon all taxable property in the Town of Batesburg sufficient to pay the interest and principal of said bonds as such interest and principal, respectively, become due, which tax shall be sufficient for said purpose and in addition to all other taxes authorized by law to be levied in said Town, sufficient for said purpose and in addition to all other taxes authorized by law to be levied in said Town.

§ 7. That said bonds shall be exempt from all State, County, School and Municipal taxes.

§ 8. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 9. This Act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of March, 1937.

(470)

No. 562.

AN ACT to Create Lexington County Agricultural Soil Conservation Board, to Authorize Lexington County Board of Commissioners to Issue Notes for the Purpose of Purchasing Terracing Equipment; to Provide for the Control and Use of Said Equipment and to Provide for the Payment of Notes Authorized; and to Provide Method of Expenditure of Funds Collected by the Lexington County Soil Conservation Board.

Section 1. Lexington County agricultural soil conservation board—appointment—terms—vacancy—pay.—Be it enacted by the General Assembly of the State of South Carolina: That there is hereby created the Lexington County Agricultural Soil Conservation Board to be composed of three (3) members to be appointed by a majority of the Legislative Delegation of Lexington County. The regular terms of office shall be for three (3) years, except the initial terms shall be as follows: One (1) for a term ending July 1, 1938; one (1) for a term ending July 1, 1939; and one (1)

for a term ending July 1, 1940. In the event there should occur a vacancy on said Board, appointment of a successor shall be in the same manner and for the unexpired term. Compensation of members of said Board shall be Five (\$5.00) Dollars per diem for not more than twelve (12) meetings during any one year from funds credited to the Soil Conservation account. The Lexington County Farm Demonstration Agent *ex officio*, shall act as Secretary of said Board and the Lexington County Treasurer shall act as Treasurer of said Board.

§ 2. Duties and powers—contract conserve farm lands.—It shall be the duty of the Board created in Section 1, to promote the conservation of agricultural lands in Lexington County and to prevent, as far as possible, soil erosion of such lands, in cooperation with farmers or landowners. The Lexington County Soil Conservation Board is empowered to contract with farm land owners for services in running and establishing terraces, building and constructing the same, and for performing any other services in connection with the conservation of farm lands and to fix the basis or rate of charge for all such services. All work done or services rendered to any landowner shall be for cash and no credit shall be extended to any individual and all funds received by the Board or its agents, shall be deposited weekly with the County Treasurer.

§ 3. Equipment—purchase—payment.—To make possible the Soil Conservation program provided for in Section 2, the County Board of Commissioners of Lexington County and the County Treasurer of Lexington County, are hereby empowered, authorized and directed to issue serial notes in the name of Lexington County, in amounts to be determined by the Lexington County Agricultural Soil Conservation Board and by a majority of the Lexington County Legislative Delegation, one of whom shall be the Senator, and the total of said notes shall not be in excess of Ten Thousand (\$10,000-.00) Dollars, for the purchase of equipment necessary to carry out the soil conservation program. Said notes shall bear four (4%) per cent interest and mature on dates fixed by the Lexington County Board of Commissioners; and none of said notes shall extend for a period of time beyond July 1, 1940. To secure the payment of notes herein provided for, thirty-five (35%) per cent of all receipts provided for in Section 2, shall be pledged for retirement of said notes. The full faith and taxing power of said County is further pledged to the retirement of said notes. Any equipment purchased shall be

the property of Lexington County. That the said notes, upon same being issued, shall be turned over to the said Lexington County Agricultural Soil Conservation Board to be used by it in the purchase of machinery and equipment necessary to carry out the purposes of this Act or to be sold by the said Conservation Board in such manner as it deems advisable and the proceeds from the sale or sales thereof to be used by the said Conservation Board in the purchase of machinery and equipment necessary to carry out the purposes of this Act.

§ 4. Deposit and disbursement of receipts.—All receipts, including funds realized from the sale of any note or notes of the Lexington County Agricultural Soil Conservation Board, shall be deposited with the Treasurer of the said County. Said Treasurer shall place the proceeds of any sale or sales of notes in an account to be known as the 'Machinery Account'. The Treasurer shall place 35% of all receipts of the said Soil Conservation Board, other than the receipts from the sale or any note or notes, in a Sinking Fund for the purpose of retiring all notes and interest thereon provided for in this Act, and the balance of 65% of such receipts shall be placed in an open account to be known as 'Soil Conservation Account' for the purpose of paying the operation costs of the Soil Conservation program. The method of expending all funds collected under the Soil Conservation program, shall be as follows:

The Lexington County Agricultural Soil Conservation Board shall certify all expenditures to the Lexington County Board of Commissioners, and in turn, the County Commissioners shall issue vouchers for such certified amounts and the County Treasurer is authorized to honor same.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect immediately upon its approval by the Governor.

Approved the 30th day of April, 1937.

AN ACT to Authorize and Empower the Trustees of Chapin School District No. 66 in Lexington County to Borrow a Sum of Money Not Exceeding Thirty-five Hundred (\$3500.00) Dollars and to Provide for the Payment of Said Loan.

Section 1. Chapin School District No. 66, Lexington County, borrow pay outstanding debts.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Chapin School District No. 66 of Lexington County, are hereby authorized and empowered to borrow a sum of money not exceeding Thirty-five Hundred (\$3500.00) Dollars at a rate of interest not exceeding four and a half ($4\frac{1}{2}\%$) per cent per annum. The amount so borrowed shall be used for the purpose of paying outstanding obligations and claims against said Chapin School District No. 66 of Lexington County. The loan shall be evidenced by a series of three (3) notes as follows: One note for Twelve (\$1200.00) Hundred Dollars shall mature on February 15, 1938, one for Twelve Hundred (\$1200.00) Dollars to mature on February 15, 1939, and one for Eleven Hundred (\$1100.00) Dollars to mature on February 15, 1940, the said notes to be executed by the Trustees of the said School District.

§ 2. Payment.—That these notes herein provided for shall be paid out of the current levy and funds accruing to the said Chapin School District No. 66 of Lexington County, in so far as said current levy and funds may be available. That in the event the current levy and funds are not sufficient to retire the said notes when and as the same may become due, then it shall be the duty of the County Auditor of Lexington County, to levy a special tax annually on all of the taxable property of the said School District and the duty of the County Treasurer of Lexington County to collect the taxes so levied as other taxes are now collected by law. The full faith, credit and taxing power of the said Chapin School District No. 66 of Lexington County are hereby pledged for the payment of the notes herein authorized.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 10th day of February, 1937.

(214)

No. 564.

AN ACT to Validate and Confirm the Act of School District No. 1 of Lexington County, the State of South Carolina, in Borrowing the Sum of Seven Thousand (\$7,000.00) Dollars and to Provide for the Payment Thereof.

Section 1. Loan to Lexington School District No. 1, Lexington County, validated.—Be it enacted by the General Assembly of the State of South Carolina: That the act of Lexington School District No. 1, of Lexington County, State of South Carolina, by its Board of Trustees, in borrowing the sum of Seven Thousand (\$7,000.00) Dollars and in executing seven (7) principal notes for One Thousand (\$1,000.00) Dollars each, together with the interest notes attached thereto, be, and the same is hereby, validated, ratified and confirmed, and the notes made the binding obligations of the said School District, and its full faith, credit, and taxing power are pledged for the payment thereof; and it is hereby authorized to pay at maturity said notes with interest thereon, if any be due, out of any funds to its credit and available for such purpose.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 24th day of March, 1937.

(38)

No. 565.

AN ACT to Authorize and Direct A. D. Martin, Attorney for Lexington County, to Proceed to Collect, by Suit or Otherwise Funds Deposited by a Former Treasurer of Lexington County in Certain Banks Now Insolvent and to Engage Assistant Counsel.

Section 1. A. D. Martin, attorney for Lexington County, proceed collect certain funds—employ associate counsel.—Be it enacted by the General Assembly of the State of South Carolina: That A. D. Martin, Attorney for Lexington County, is hereby authorized and directed to proceed to collect, by suit or otherwise, the funds deposited by a former Treasurer of Lexington County, in certain banks now insolvent, to wit: Bank of Swansea, Bank of Pelion, Bank of Gilbert, and Brookland Bank, and he is authorized to employ to assist him such associate Counsel as he may deem necessary, and for their services, including those of the said A. D. Martin, they are to be paid such sums, or on such basis, as may be fixed by the Senator and a majority of the delegation of Lexington County. Authority is hereby conferred to bring such action as may be necessary in the name of Lexington County.

§ 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 4th day of February, 1937.

(37)

No. 566.

AN ACT to Repeal An Act No. 1234 of the Acts of the General Assembly of South Carolina, 1936, Approved April 30, 1936, and Entitled, "An Act to Authorize and Direct the Treasurer of Lexington County to Take Certain Credits Off Her Books and to Transfer the Same to An Account to be Known as a Contingent Account Receivable."

Section 1. Act 1234, 1936 Acts, repealed—Lexington County treasurer take certain credits off her books and transfer same.—Be it enacted by the General Assembly of the State of South Carolina: That Act No. 1234 of the Acts of the General Assembly of South Carolina, 1936, approved April 30, 1936, and entitled "An Act to Authorize and Direct the Treasurer of Lexington County to take Certain Credits off Her Books and to Transfer the Same to an Account to be Known as a Contingent Account Receivable", be, and the same is, hereby repealed.

§ 2. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. That this Act shall take effect immediately upon its approval by the Governor.

Approved the 4th day of February, 1937.

(265)

No. 567.

AN ACT to Authorize the Treasurer and County Board of Commissioners of Lexington County to Borrow Money to Retire the Past Indebtedness and to Provide a Levy for Payment of Same, and to Validate Certain Acts of Lexington Officials and to Direct the Disposition of a Certain Fund.

Section 1. Lexington County borrow pay certain indebtedness.—Be it enacted by the General Assembly of the State of South Carolina: The Treasurer of Lexington County and the County Board

of Commissioners of said county are hereby authorized and empowered to borrow, if necessary, in the name of Lexington County a sum of money not in excess of Six Thousand (\$6,000.00) Dollars at the best rate of interest obtainable not to exceed five (5%) per cent. for a period of time not to extend beyond March 15, 1938, for the purpose of paying past indebtedness incurred by the officers of said county during the years 1932 through 1936 inclusive and for the further purpose of the payment for services rendered by attorneys in handling matters pertaining to the Peoples State Bank of South Carolina. If sufficient funds are available, said obligations, not in excess of Six Thousand (\$6,000.00) Dollars, shall be paid from County Ordinary Funds.

§ 2. Payment.—For the purpose of securing the payment of the money authorized to be borrowed or expended from County Ordinary Funds in Section one hereof, there is hereby levied upon all taxable property in Lexington County a tax of One (1) mill to be levied during the year 1937. The County Auditor is hereby directed to place said levy and the County Treasurer is authorized and directed to collect the same in the same manner as other taxes for the County of Lexington are collected. If any funds are borrowed, immediately upon the collection of a sufficient tax, the Treasurer is directed to at once pay the loan herein provided for. In the event any sum above the amount borrowed, or spent from County Ordinary Funds provided for in Section 1, is collected, such revenues shall revert to the County Ordinary account.

§ 3. Expenditures confirmed.—That all actings and doings of the County Commissioners and/or the Treasurer of said county in the expenditure of the sum of Eighteen Thousand (\$18,000.00) Dollars for new road machinery and for the repair of old road machinery in behalf of said county; and in the expenditure in behalf of said county of the following funds in excess of 1936 appropriation, to wit:

For the operation of the November, 1936 term of Court, One Thousand Ninety-five and 50/100 (\$1,095.50) Dollars; For the Welfare Board for November and December, 1936, Four Hundred and Fifty and no/100 (\$450.00) Dollars; for salaries of employees in Commissioner District No. 1, November and December, 1936, Four Hundred Eighty-seven and no/100 (\$487.00) Dollars; for part of purchase price of truck (Dutch Fork), One Hundred Eighty-one and 92/100 (\$181.92) Dollars: Be, and the same are hereby ratified, confirmed binding obligations of Lexington County.

§ 4. **Funds go into county ordinary account.**—That the Treasurer of said county is hereby authorized and directed to place in the County Ordinary account the sum of Six Hundred Fifty-two and 25/100 (\$652.25) Dollars, paid by the S. A. L. Railway Company as penalties. The Treasurer is further authorized to accept any funds which the Sheriff of Lexington County has collected or may collect from closed banks as dividends on any tax execution account, and place same to the credit of the County Ordinary Account, except that part which belongs to the State. The Treasurer is further authorized to place all unpledged revenues belonging to Lexington County in the County Ordinary Account.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 7th day of April, 1937.

(30)

No. 568.

AN ACT to Validate Loan of One Thousand, Seven Hundred (\$1,700.00) Dollars Made to Plum Branch School District No. 24, McCormick County, by the Sinking Fund Commission of South Carolina and to Provide a Tax Levy for the Payment Thereof.

Section 1. Loan to Plum Branch School District No. 24, McCormick County, validated.—Be it enacted by the General Assembly of the State of South Carolina: That a loan of One Thousand, Seven Hundred (\$1,700.00) Dollars, made to Plum Branch School District No. 24, McCormick County, by the Sinking Fund Commission of South Carolina on note executed by the County Treasurer and Members of the Board of Trustees of the said School District, bearing date of September 1, 1936, be, and the same is hereby validated and declared to be legal in all respects as an obligation of the said Plum Branch School District No. 24, McCormick County.

§ 2. **Payment.**—That in order to provide for the payment of the said note there is hereby set aside a sufficient amount of the special school tax levy of Plum Branch School District No. 24, McCormick County, to retire this loan with interest within a period of five (5) years. If it is found that during any one year while this loan remains unpaid the present school tax levy is insufficient to meet the payment of one-fifth of the principal sum of this loan and interest upon all money remaining unpaid a special tax will be levied for this purpose. It shall be the duty of the Auditor of McCormick

County to levy the said special tax or set aside a sufficient amount of the present special school tax levy and the duty of the County Treasurer of the said County to collect the tax so levied as other taxes are collected by law.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5th day of February, 1937.

(90)

No. 569.

AN ACT to Make Appropriations for Ordinary County Purposes for Marion County for the Fiscal Year Beginning January 1st, 1937; to Provide for the Expenditure Thereof; to Authorize the Proper Officers of the County to Borrow Money to Meet Such Appropriations; and to Provide for the Levy of Such Taxes as May be Necessary to Raise the Required Amount, Taking Into Account Other Revenues of the County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: The following amounts are hereby appropriated for the County of Marion for the fiscal year beginning January 1st, 1937, for the following purposes only, and the salaries of the officers and employees are fixed as hereinafter stated:

Item 1. *Salaries:*

Clerk of Court.....	\$ 900.00
Sheriff	2,150.00
Traveling Expenses, Sheriff's Office	240.00
Two Deputy Sheriff's to be appointed by the Sheriff.....	\$ 3,400.00
Jailer	720.00
Treasurer	800.00
Clerk to Treasurer.....	600.00
Auditor	800.00
Clerk to Auditor.....	600.00
Superintendent of Education.....	1,800.00
Coroner	300.00
Janitor	400.00

Chairman, Board of County Commissioners	2,150.00
Three Commissioners @ \$180.00 each	540.00
One full time Clerk to Commissioners	900.00
Tax Collector	1,800.00
N. B.—The Tax Collector shall also receive certain mileage, as hereinafter provided.	
Magistrate at Marion.....	1,080.00
Magistrate at Mullins.....	1,080.00
Magistrate's Constable at Mullins with police powers in Reaves Township	1,380.00
Magistrate in Britton's Neck Township	180.00
Magistrate's Constable in Brittons Neck Township, with police powers in Brittons Neck, Woodberry and Rowell Townships at \$100.00 per month for 10 months commencing March 1, 1937	1,000.00
Magistrate at Sellers.....	180.00
Magistrate's Constable at Sellers, with police powers in Moody Township at \$50.00 per month for 10 months commencing March 1, 1937	500.00
Magistrate at Nichols	180.00
Service Officer	720.00

\$ 24,400.00

Item 2. County Boards:

Board of Education.....\$	300.00
One full time Clerk to Board of Education	900.00
Board of Equalization.....	600.00

\$ 1,800.00

The Tax Assessors shall receive
a per diem of \$4.00.

Item 3. Commissioners' Fund for Dieting prisoners	\$ 1,200.00	
		\$ 1,200.00
Item 3. Post Mortems and Lunacies.....	\$ 300.00	
		\$ 300.00
Item 5. Medical Services Rendered Pris- oners on Chaingang or in Jail..	\$ 200.00	
		\$ 200.00
Item 6. Poor House and Poor.....	\$ 2,500.00	
		\$ 2,500.00
Item 7. Jurors and Witnesses.....	\$ 2,500.00	
		\$ 2,500.00
(Jurors and Court Attaches shall receive a per diem of \$2.00.)		
Item 8. Public Buildings, including lights, water, etc.	\$ 1,000.00	
		\$ 1,000.00
Item 9. Office Rent	\$ 1,000.00	
		\$ 1,000.00
Item 10. Vital Statistics	\$ 300.00	
		\$ 300.00
Item 11. Ordinary Contingent	\$ 4,000.00	
		\$ 4,000.00
Item 12. Roads, Bridges and Chain Gang..	\$ 10,000.00	
		\$ 10,000.00
Item 13. Hospitalization Fund	\$ 3,500.00	
		\$ 3,500.00

Item 14. Health Department	\$ 1,750.00	
		\$ 1,750.00
Item 15. Forestry Department	\$ 275.00	
		\$ 275.00
Item 16. Tri-County Tuberculosis Nurse..	\$ 500.00	
		\$ 500.00
GRAND TOTAL of all Items.....		\$ 55,225.00

§ 2. The Board of County Commissioners shall be and they are hereby, authorized to borrow upon sealed competitive bids after written notice to all the banks in Marion County a sum or sums not exceeding in the aggregate the amount hereinbefore appropriated, pledging all taxes to be raised by virtue of the levy to be made hereunder and the full faith and credit of the county for such loan or loans. The Chairman of the Board of County Commissioners and the County Treasurer shall execute a note or notes for such loan or loans, which note or notes when so executed shall be a lien upon all taxes to be raised during the year 1937 for the levy to be made under this Act: *Provided*, That no funds of Marion County in excess of the sum protected by Federal deposit insurance shall be deposited by an officer thereof in any bank or banks unless such bank or banks shall file with the County Treasurer an indemnity bond in some approved surety company or shall deposit with the County Treasurer, United States, State, County, Municipal, School District, Federal Land Bank Bonds, or other Bonds guaranteed by the United States, or County Notes, to indemnify the County of Marion against any loss or damage which may arise by reason of such deposit, the said indemnity to be not less than the maximum amount so deposited less the sum protected by Federal deposit insurance, the sufficiency of the indemnity or security hereinbefore provided for to be determined and approved by the County Treasurer and the Chairman of the Board of County Commissioners in writing; and *Provided, Further*, That the moneys hereinbefore appropriated shall be used only for the purposes for which such appropriation is made and for no other purpose or purposes, and the Board of County Commissioners and the County Treasurer are hereby expressly forbidden to exceed directly or indirectly the appropriations herein made for any purpose

whatsoever; and *Provided, Further*, That all unexpended balances on appropriations for the year 1936 shall be added to the contingent fund hereinbefore mentioned.

§ 3. The Magistrates' Constables hereinbefore mentioned shall be appointed by their respective Magistrates, with the written approval of the Sheriff, and they shall be subject to removal by the same authorities at any time, without the preferment of charges. Each of them shall be required to file with the Sheriff and the Board of County Commissioners a monthly itemized statement of the work done by him during the previous month, and no salary shall be paid until such statement has been duly filed. They shall have full rural police powers in their respective territories, including the right to arrest without warrant for offences committed in their view. They shall regularly patrol their respective territories, and shall faithfully devote their time and effort to the preservation of peace and good order therein, and the detection and prevention of crime, in full co-operation with the Sheriff, as the chief law enforcement officer of the County.

The Constable for the Mullins Magistrate shall have as his territory Reaves Township, and shall also act as Constable both for the Mullins Magistrate and the Nichols Magistrate, in both civil and criminal matters.

The Constable for the Sellers Magistrate shall have as his territory Moody Township, and shall also act as Constable for the Sellers Magistrate, in both civil and criminal matters.

The Constable for the Brittons Neck Magistrate shall have as his territory Brittons Neck Township, Woodberry Township, and Rowell Township, and shall also act as Constable for the Brittons Neck Magistrate, in both civil and criminal matters.

The provisions of this section referring to the Constables for the Sellers Magistrate and the Brittons Neck Magistrate shall not apply until March 1, 1937; and the present Constables of said Magistrates shall receive up to that date the same salaries as those contained in the Supply Bill for 1936, payable out of the contingent fund.

The appropriations hereinbefore made for the Treasurer and the Clerk to the Treasurer, and for the Auditor and the Clerk to the Auditor, shall be effective as of the date of the approval of this Act, and until that time the Treasurer and the Auditor shall receive the same salaries as were appropriated for them in the Supply Bill for 1936.

§ 4. The amounts hereinbefore appropriated for salaries for officers and employees shall be in full of their compensation and they shall not receive any allowance for traveling or other expenses, save and except postage, stationery and office supplies, which shall also be furnished each of the Magistrates upon their written requisitions to the Board of County Commissioners; all such postage, stationery and office supplies to be paid for out of the contingent fund; and also except office rent for the Magistrates at Marion and Mullins as hereinafter specified; *Provided*, The Tax Collector shall be entitled to receive an additional compensation mileage at 10¢ per mile one way to be paid by delinquent taxpayers one time; and, *Provided*, further, That the Sheriff's office shall be entitled to receive on account of traveling expenses \$20.00 per month (covered by the appropriation hereinbefore made), payable to the Sheriff, to be applied by him on account of such expenses incurred by him and his deputies in such proportions as he may deem equitable; but this shall not apply to necessary traveling expenses outside of the County of Marion, which shall be paid as heretofore out of the contingent fund.

And the Board of County Commissioners is hereby authorized and directed to refund to the Tax Collector the sum of Twenty Three Dollars and Fifty Cents (\$23.50), payable out of the contingent fund, there being a duplicate charge of this item to him on account of tax executions against the property of J. P. Rogers and Mrs. Bertha T. Rogers.

§ 5. The Service Officer for whom appropriation is made under Section 1 of this Act shall be elected at a joint meeting of the Executive Committees of the American Legion of the towns of Marion and Mullins, and the Board of County Commissioners are hereby authorized to pay to such person the sum so appropriated in monthly payments of Sixty (\$60.00) Dollars each, *Provided*, Such Service Officer shall file with the Board of County Commissioners each month a statement showing the work done by him in the preceding month.

§ 6. The appropriation hereinbefore made for office rent shall be used by the Board of County Commissioners in the payment of office rent for the Farm Demonstration Agent, the Home Demonstration Agent, the Federal Relief Agencies, including the Works Progress Administration, and the Magistrates at Marion and Mullins; *Provided*, That the amount so paid for either of said Magistrates shall not exceed One Hundred (\$100.00) Dollars per annum.

§ 7. The Jailer shall be a deputy of the Sheriff and shall be appointed by him and be subject to his orders.

§ 8. The Board of County Commissioners shall be charged with the entire responsibility of providing for the dieting of prisoners.

§ 9. The amount hereinbefore appropriated for the Hospitalization Fund shall be paid quarterly by the Board of County Commissioners to a Committee consisting of Mrs. John O. Gasque, Mrs. H. Stacy Smith and Mrs. B. B. Baker, to be expended by them for emergency hospitalization and emergency home medical treatment, and the said Committee shall be entitled to reimbursement out of this fund for any actual necessary expenses incurred by them: *Provided*, That the Committee shall make a written report at the end of each quarter to the Board of County Commissioners showing in detail all expenditures by them.

§ 10. The Board of County Commissioners shall have authority to employ a County Attorney and to pay for his services out of the contingent fund.

§ 11. The Coroner shall be, and he is hereby, authorized to employ a stenographer to take the testimony at any inquest, if in his judgment the volume of testimony so to be taken and the circumstances of the case warrant such employment; and the Board of County Commissioners shall in each case pay the reasonable charges of such stenographer out of the contingent fund upon the written approval of the Coroner.

§ 12. The appropriation hereinbefore made for a Tri-County Tuberculosis Nurse is conditioned upon an agreement being made with the Delegations of Dillon County and Horry County whereby such a nurse may be employed by the three counties for this purpose, it being recognized that a special effort should be made to combat this disease.

§ 13. The appropriation hereinbefore made for the Health Department is conditioned upon the filing of a monthly statement in writing with the Board of County Commissioners showing in detail the activities of this Department in the County.

§ 14. The County Auditor is hereby authorized and directed to make calculation of the amount of levy that will be necessary to raise the sums appropriated in this Act, first taking into account the probable income from all other sources; and she is hereby authorized and directed to impose in due time such levy upon the property of the County as will raise the necessary sums of money: *Provided*,

That such levy shall not be made before July 1, 1937, and then only upon the written approval of a majority of the Legislative Delegation of the County and the Chairman of the Board of County Commissioners. The purpose of this section is to authorize a flexible levy so that the same may be fixed at such rate as will raise the necessary amount of money required to be paid out hereunder.

§ 15. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 16. This Act shall take effect immediately upon its approval by the Governor.

Approved the 24th day of February, 1937.

(321)

No. 570.

AN ACT to Authorize the County Board of Education of Marion County to Make a Loan to the Rains School District of Said County of a Sum Not Exceeding Two Thousand (\$2,000.00) Dollars.

Whereas, the Rains School District of Marion County has an outstanding bond issue which will be retired in 1940, such bond issue being for the full amount authorized by law to be issued; and

Whereas, the said School District has on hand for use certain materials furnished by the Federal Government, which are very much needed for the completion and equipment of the school building recently constructed by the said District, but if not now utilized will be lost to the District and used elsewhere by the WPA; and

Whereas, additional funds of from Fifteen Hundred (\$1500.00) Dollars to Two Thousand (\$2,000.00) Dollars will be required to utilize the said materials and complete and equip the said building as it should be in order to meet the needs of the District; and

Whereas, the County Board of Education of Marion County is in position to furnish the necessary funds to the said District by way of loan:

Section 1. County board of education lend Rains School District certain funds for building purposes, Marion County.—Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Education of Marion County be, and they are hereby, authorized to lend to the Rains School District of said County the sum of not exceeding Two Thousand (\$2,000.00) Dollars for the purposes aforesaid: *Provided*, the said loan is repre-

sented by a note of the said District, executed by the Trustees, maturing two (2) years from the date thereof, with interest at the rate of three (3) per cent per annum: *Provided, Further*, that the said note shall be retired, either in whole or in part, as and when the said District shall have available funds, whether the same shall have matured or not; and *Provided, Further*, that if the said note is not paid at maturity a sufficient tax upon the property of the said district shall be levied for the purpose of the repayment of the same.

§ 2. Draw funds lend by warrant—restore funds when paid.—The amount of the loan aforesaid shall be drawn from the funds of the said County Board of Education by warrant issued thereby, and when paid shall be restored to the said funds.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(147)

No. 571.

AN ACT Ratifying the Sale of the Poor House Farm or Tract by the County Commissioners of Marion County.

Whereas, Marion County has owned the tract of land known as the Poor House Farm or Tract for more than fifty years, during which period it has been in the open, notorious, continuous, exclusive and adverse possession thereof, but there is no deed of record therefor, and such deed cannot now be found; and

Whereas, Pursuant to the provisions of Acts Nos. 1250 and 1251, Acts of 1936, the County Commissioners of Marion County sold said Poor House Farm or Tract to C. W. Rogers at and for the sum of three thousand (\$3,000.00) dollars, which he has paid in cash and the County Commissioners have executed and delivered to him a good and sufficient deed therefor in fee simple, with general warranty, thereby vesting in him a good and marketable title thereto: *Now Therefore*:

Section 1. Sale and conveyance of poor house farm confirmed, Marion County.—Be it enacted by the General Assembly of the State of South Carolina: That the aforesaid sale and conveyance of the Poor House Farm or Tract by the County Commissioners to C. W. Rogers be, and the same is hereby, approved, ratified and confirmed in all respects.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 11th day of March, 1937.

(301)

No. 572.

AN ACT to Exempt Certain Land Owners in School District No. 25, Reaves Township, Marion County, From County and School Taxes in Arrears to and Including the Year 1935.

Section 1. Certain lands exempt from taxes, Reaves township, Marion County.—Be it enacted by the General Assembly of the State of South Carolina: That the land owners hereinafter named owning lands in School District No. 25, Reaves Township, Marion County, be, and they are hereby, exempted from all county and school taxes in arrears to and including such taxes for the year 1935, this exemption being allowed because said lands are subject to overflow, and the inundation thereof, due to extensive floods in recent years, has destroyed their productiveness; and the County Treasurer is hereby authorized to cancel such executions against said lands, except as to State taxes.

§ 2. **Owners of such lands.**—That the following named persons and estates are the land owners granted the exemption aforesaid, to wit:

Est. Jake Jenkins
Est. Lewis Bethea
Est. Becky Johnson
Est. Currie Gilchrist
Est. Fairley Ford
Claude Johnson
Janie Pitman
Est. Harley Gerald
Est. Lucie Gilchrist
Est. Becky Gerals
James Gilchrist
Est. Janie Jenkins
Est. Joseph Ford
Alex Pitman
Est. Alfred Johnson
G. W. Page

Douglas Gerald, et al.
 Est. Judie Page
 Est. Everette Gilchrist
 Only Ford
 Lillie Bowden

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
 Approved the 17th day of April, 1937.

(555)

No. 573.

AN ACT Relating to the Fiscal Affairs of Marlboro County and the School Districts Thereof, to Provide a Levy of Taxes for County Purposes for the Fiscal Year Commencing July 1, 1937, and for the Expenditure Thereof, to Make Provisions for the Due Payment of the Existing Indebtedness of Marlboro County, Abolish the Commutation Road Tax, and to Provide for the Reduction of Special Levies in the School Districts of Marlboro County.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: For the fiscal year beginning July 1, 1937 the following sums of money, if so much be necessary, be, and the same are appropriated out of the County Treasury of Marlboro County to meet the expenses of the County as hereinafter appropriated, and there is hereby levied upon all taxable property in the County twenty-two (22) mills, if so much be necessary, together with all other income to raise the sums herein appropriated, of which 12 mills shall be for bonds and interest and 10 mills for ordinary purposes.

Item 1: Salaries and Personal Services:

Sheriff	\$ 2,025.00
Car Expenses of Sheriff	600.00
Deputy Sheriff	513.00
Treasurer	712.80
Assistant Treasurer	300.00
Clerk of Court	400.00
Auditor	712.80
Coroner	500.00
Supervisor	2,187.00

Car Expense of Supervisor.....	600.00
Clerk to County Highway Com- missioners	1,283.00
Board of Equalization	250.00
Attorney	100.00
Service Officer	1,215.00

TOTAL (Item 1) 11,398.60

Item 2: Law Enforcement and Administra-
tion of Justice:

Magistrates:

McColl	300.00
Bennettsville	1,200.00
Clio	250.00
Smithville	225.00
Blenheim	225.00
Jail expense for dieting of pris- oners	2,500.00
Jurors and Witnesses, and for no other purpose	2,500.00
Salary, Rural Policemen	4,500.00
Car Expense, Rural Policemen..	1,800.00
Contingent Fund	250.00

TOTAL ITEM 2 \$ 13,750.00

Provided, That all Magistrates in Marlboro County shall be bonded for Two Hundred and Fifty (\$250.00) Dollars each, except the Magistrate in the City of Bennettsville, who shall be bonded for Five Hundred (\$500.00) Dollars. Marlboro County paying premium on said bonds, and it shall be the duty of the Board of County Commissioners to audit the Magistrates' books monthly and see that all fines have been turned

over to the Treasurer before
pay warrants are drawn.

Item 3. Roads, Bridges and Convicts....\$ 24,000.00

Provided, That no expenditure
shall be made to work avenues
or roads in Marlboro County
not in the County System.

Item 4. Public Health, Charities and
Social Welfare:

County Farm Demonstration agent	500.00
Vital Statistics	420.50
Post Mortems, Inquest and Lu- nacy	300.00
Physician	100.00
County Hospital to Supplement Charity Aid from Duke Foun- dation	8,000.00
Surgical Fees, Charity Cases....	2,000.00
Support of indigent children....	150.00
Health Unit	2,600.00
Library Association	2,000.00

TOTAL ITEM 4	16,070.50
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Item 5. County Board of Education:

A. Personal Service:

County Superintendent of Educa- tion	1,700.00
Travel and Expense allowance...	300.00
Office Assistant	600.00
Expense for handling free text- books, storage and insurance on same	300.00
Members of County Board.....	108.00
Adult School Supervisor	600.00
Negro School Supervisor (to se- cure equal amount from Jeannes Fund)	400.00

C. Interest and insurance:		
Insurance on School Building....	3,521.67	
Insurance on Court House and County buildings	511.76	
D. Supplies and Incidentals	100.00	
TOTAL ITEM 5		8,141.43
Item 6. Court House, Public Buildings and office supplies:		
Janitor Court House	330.00	
Rent for WPA and Social work offices	240.00	
Water, lights, fuel, repairs and in- surance	1,000.00	
Printing, postage and stationery..	900.00	
For Current Record Books	250.00	
TOTAL ITEM 6		2,720.00
Item 7. MISCELLANEOUS CONTIN- GENT:		
Bonds County officers	600.00	
Contingent Fund	1,250.00	
Audit for County offices	600.00	
Publishing disbursements of County Supervisor	150.00	
Gasoline for WPA trucks.....	100.00	
Interest on County Indebtedness (in anticipation of collection of taxes)	300.00	
Purchase of Cans for School lunches	300.00	
Supplies W. P. A. Serving Room	200.00	
Negro Home Demonstration Agent	300.00	
TOTAL ITEM 7		3,800.00
Total for Current Expenses.....		79,880.53
Item 8. Bonds and Interest	56,964.48	
GRAND TOTAL OF ALL EX- PENDITURES		\$136,845.01

LESS: Estimated Revenues other than

General County tax for Ordinary County Purposes:

Gasoline Tax	24,000.00
Fines and Licenses	5,000.00
Insurance Commission	2,500.00
Beer and Wine Tax	3,000.00

TOTAL 34,500.00

Total amount to be raised by tax-

ation \$102,345.01

§ 2. The appropriations made in this Act are intended to be the maximum amounts to be expended for the purpose specified, and the Board of County Highway Commissioners and all other officers of Marlboro County are requested and directed to be economical in the expenditure of all public funds, and to keep the expense below the appropriations when practicable and consistent with public requirements. In no case shall the expenditure exceed the appropriations for any purpose: *Provided*, That out of the contingent fund One Thousand Two Hundred and Fifty (\$1,250.00) Dollars herein appropriated is to be paid all necessary expenses for which no specific appropriation was made herein, and for unavoidable expenses in excess of the appropriation for any purpose. The Supervisor, the County Highway Commissioners and the County Treasurer shall be liable in proportion to their salaries for any funds paid out in excess of the appropriations provided in this Act, and no officer, agent or employee of Marlboro County shall contract any debt for any purpose in excess of the appropriations for the specific purpose or for any purposes for which no specific appropriation is made without the authority of the Supervisor and the Board of County Highway Commissioners. Any office, agent or employee shall be personally liable for any such debt contracted. From the contingent fund the County Commissioners are hereby authorized to expend \$150.00 to be used for providing chairs for the Judge's desk and for the jury boxes at the Courthouse.

§ 3. The County Board of Highway Commissioners and Treasurer of Marlboro County are hereby authorized to borrow such sum of money as may be necessary to pay and retire any notes that may be outstanding. There is hereby appropriated a sufficient amount to pay all outstanding notes and other obligations of Marlboro

County not otherwise provided for. The said Board and Treasurer are also authorized and empowered to obtain new loans in anticipation of the collection of taxes for the fiscal year 1937-38, for the purpose of carrying on the business of the County during the fiscal year 1937-38, and may pledge the fiscal year 1937-38 taxes for the payment of said loan or loans: *Provided*, That the total amount of money borrowed in anticipation of and to be paid out of the fiscal year 1937-38 taxes shall not exceed Fifteen Thousand (\$15,000.00) Dollars. But no loan shall be negotiated for more than the amount herein appropriated or levied. Before negotiating any loan, the Board of County Highway Commissioners may advertise for at least two weeks in one or more newspapers for competitive bids, and shall obtain such loan or loans at such interest and upon such terms as may, in their judgment, be most advantageous to Marlboro County. Unless the rate of interest offered is so low that it is deemed advisable to borrow all of said money at one time, then the Board and Treasurer shall borrow installments from time to time as the money may be needed.

§ 4. It shall be the duty of the County Treasurer to confer with the Board of County Commissioners, and by joint conference decide what bank or banks shall be the depository for all county funds.

§ 5. In anticipation of the collection of tax levy for retirement of bonds and payment of interest the County Treasurer may borrow any money necessary to pay such interest or principal of bonds as may become due before said taxes are collected.

§ 6. The Sheriff of the county is hereby directed to so regulate the movements and activities of the Rural Policemen that all sections of the county shall enjoy the protection of the law without favor and without neglect.

The protection of all school property is hereby made a special mission of the Sheriff and his force. He is particularly directed to so regulate the enforcement of the law as to protect school property from injury, theft and destruction; and to enforce the laws against plowing in the roads. The contingent fund appropriation of Two Hundred and Fifty (250.00) Dollars, hereinabove made, shall be expended by the Sheriff of Marlboro County for enforcement of law.

§ 7. The County Board of Commissioners of Marlboro County is hereby declared to be the sole financial and purchasing agents of Marlboro County; and, when any officer, or board of the County, desires new equipment or supplies, or replacement, or extraordinary

service in connection with his or their office, or desires that any expenditure to be made, or expenses be incurred, in regard to his or their office, other than those specifically appropriated in this Act, or desires to make any purchase or incur any expense which would necessarily be paid out of a general fund, he shall file his or their request in writing with the said County Board of Commissioners, and shall obtain written consent of the said Board before ordering or purchasing such supplies, equipment, materials, or service, or incurring such expense. No office, officer, or board shall have any authority to make contracts of purchase or incur other obligations in the name of the County, except as authorized by law. No contracts made except as herein provided shall be valid to bind the County. The County Board of Commissioners of Marlboro County is hereby required to advertise for bids on all purchases exceeding One Hundred (\$100.00) Dollars.

§ 8. The appropriation of Eight Thousand (\$8,000.00) Dollars for the treatment in the Marlboro County General Hospital of deserving charity patients, whose condition demands hospital treatment, is made subject to the following conditions: That no deserving charity patient as above described shall be turned away as long as there are facilities and room in the hospital; that there shall be no charge for professional services to such patients, and no charge whatsoever except the daily expense of Three and 52/100 (\$3.52) Dollars per patient: *Provided*, That the funds shall be available for the use of the Marlboro County General Hospital only upon itemized statements of the actual days spent in the hospital by charity patients, signed by each patient individually and certified by the Hospital management, said statement being presented to the Board of County Commissioners at their regular monthly meeting. The Duke Foundation payment for charity work One (\$1.00) Dollar per day is to be deducted from the amount of Three and 52/100 (\$3.52) Dollars, leaving Two and 52/100 (\$2.52) Dollars per charity patient to be paid by the County. These conditions and provisions are to be interpreted and enforced as meaning that, when the Duke Endowment gives One (\$1.00) Dollar for charity work, the County will give Two and 52/100 (\$2.52) Dollars, not to exceed in total amount the sum of Eight Thousand (\$8,000.00) Dollars for the year 1937-38. County funds shall be available only to match in this way funds coming from the Duke Foundation for charity beds, and shall be paid only in cases approved as charity cases by the Duke Founda-

tion. The Board of County Commissioners are authorized and directed to prepare and have printed for use by the patients and hospital management, forms and blanks for making the above mentioned certified statements: *Provided Further*, That the charity patients herein referred to must be citizens of Marlboro County.

§ 9. The appropriation of Two Thousand (\$2,000.00) Dollars for surgical fees in charity cases in Marlboro County General Hospital is to be expended on the following conditions: That the funds shall be available and be paid to the surgeon performing each charity operation only upon itemized statement signed by the Hospital Board and the patient individually, said statement being presented to the Board of County Commissioners at their regular monthly meeting and certified that said operation was a charity operation and that the surgeon performing it had received, and will receive, no further compensation for same. The County Board of Commissioners, upon examination of such statement shall pay to the surgeon performing each operation the sum of Ten (\$10.00) Dollars until the amount herein appropriated is exhausted and thereafter no payment shall be made, contracted for, or expected. All charity operations herein referred to must be major operations and must be upon citizens of Marlboro County.

§ 10. The appropriation of Two Thousand Five Hundred (\$2,500.00) Dollars herein made for jail expenses is to be paid for necessary disinfectants, supplies and repairs and for feeding prisoners, the Sheriff to be allowed fifty (50¢) cents per day for feeding prisoners but no payment beyond the total sum of Two Thousand Five Hundred (\$2,500.00) Dollars is to be made. The Sheriff of Marlboro County is authorized to expend a sufficient amount of the appropriation made for the jail for purpose of repairs: *Provided*, That no expenditures shall be made by the Sheriff for repairs, disinfectants and supplies except upon the approval of the Board of County Commissioners of Marlboro County.

§ 11. The janitor at the Court House shall be hired by the Supervisor.

§ 12. If at any time during the fiscal year 1937-38 it shall appear to the County Commissioners that the appropriations herein made will be beyond the revenue for the year, and that a deficit is likely to result, or that, because of the general business conditions, the collection of taxes will be unduly slow or that the best interests of the County demand it, the County Commissioners are empowered to re-

duce any amount or amounts appropriated in this Act to such point as their judgment dictates to be wise; such action may be taken by the Delegation in a meeting of the Delegation, and shall be communicated, in writing to the Treasurer of Marlboro County who shall put into effect such deductions as may be ordered by the Delegation.

§ 13. The County Commissioners shall receive as pay for their services the sum of Five (\$5.00) Dollars for each day actually engaged on official duty and mileage at the rate of five (5¢) cents per mile actually traveled. All to be paid from the contingent fund.

§ 14. From and after the passage of this Act, no commutation road tax shall be levied or collected in Marlboro County, and all Acts or parts of Acts inconsistent with this Section, are hereby repealed, in so far as they affect Marlboro County.

§ 15. That the boards of school trustees of the school districts in Marlboro County are hereby authorized and empowered, in their discretion, to reduce or abolish any special district levies for school purposes in their respective school districts. Upon the determination of any Board to reduce or abolish any such levy, it shall be the duty of such Board to notify the Auditor and the Superintendent of Education of such County of its action in the matter; and thereafter any such levy shall be reduced or abolished, as the case may be, It is especially declared that the boards of school trustees shall not have the power to increase any such levies, but their power in the matter is only as specifically herein conferred.

§ 16. The money hereinbefore appropriated for the care of indigent children is to be expended by the County Commissioners upon the request of the Children's Bureau of South Carolina, and upon the written approval of the delegation of the purpose of child welfare.

§ 17. The Board of County Commissioners is hereby authorized and directed to pay from the Contingent Fund an amount not to exceed Fifty (\$50.00) Dollars, as compensation for stenographic services at inquests. The coroner is authorized and directed to appoint a stenographer to take down stenographically all testimony at inquests held in the County; at such inquest the Coroner shall swear and examine every eye-witness. The stenographer shall be paid Five (\$5.00) Dollars for each inquest, up to and including ten (10) inquests; thereafter during the remainder of the year the stenographer shall perform his or her services without additional charge to the County. The stenographer shall make an original and two (2) copies

of the testimony taken at each inquest, and he or she shall sign and deliver the original to the Coroner, one copy to the Solicitor, and the other copy to the Clerk of Court for the use of the defendant's attorney.

§ 18. The Sheriff is authorized to sell all materials, supplies or other property seized or confiscated by him, or his officers, where not prohibited by law, and the proceeds shall be turned over to the County Treasurer to be used for ordinary County purposes.

§ 19. Whereas the County Home of Marlboro County has been destroyed by fire, and the conditions do not warrant the expenditure at this time of a sufficient amount to replace said building, the County Commissioners of Marlboro County are hereby authorized to place the inmates of said Home in such proper care as, in their discretion, may be best, so as to reasonably safeguard and provide for their comfort and health. The County Commissioners are authorized to defray the expenses of the same from the appropriation hereinbefore made for Poor Relief.

§ 20. Whereas, the office of County Service Officer was created in 1930, at a minimum salary and expense, and has been continued on such an economical basis, and whereas the work of the County Service Officer has multiplied and increased beyond the original contemplation of the Act creating the office, requiring more attention and the handling of more cases and claims than was originally contemplated, partly on account of the increased appropriations of the Federal Government for World War Veterans, and the broadening of the application of the funds so appropriated to include not only the Veterans themselves, but members of their families; and partly because of the activity of the Service Office in originating and discovering new claims, so that the office is handling an enormous volume of correspondence and securing a very large amount monthly for the soldiers of Marlboro County and their families; and whereas, the Service Officer needs additional filing equipment and supplies for preserving his records and maintaining them properly; now, therefore, there is hereby appropriated from the contingent fund the amount of Thirty (\$30.00) Dollars per month to the County Service Officer for the year 1937 for the purpose of providing the equipment and supplies above indicated, and for defraying the traveling expenses and other necessary expenses of his office.

§ 21. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 22. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(20)

No. 574.

AN ACT to Repeal An Act Entitled "An Act to Authorize the Town of Clio, in Marlboro County, Upon a Petition of a Majority of its Freeholders and a Vote of a Majority of its Qualified Electors, to Vote at an Election Thereof to Issue Not More Than Seventy-one Thousand (\$71,000.00) Dollars in Bonds: and to Provide for the Disposition of Funds Arising From the Sale of Said Bonds: and to Provide for the Retirement of all Outstanding Indebtedness of the Town of Clio", Being Act No. 1253 of the Acts of 1936, and Relating to the Issuance or Refund of Bonds by the Town of Clio and Other Municipalities Within This State.

Section 1. Act 1253, 1936 Acts, repealed—town of Clio issue bonds.—Be it enacted by the General Assembly of the State of South Carolina: That "An Act to authorize the Town of Clio in Marlboro County, Upon a Petition of a Majority of its Freeholders and a Vote of a Majority of its Qualified Electors, to Vote at an Election Thereof to Issue Not More Than Seventy-one Thousand (\$71,000.00) Dollars in Bonds; and to Provide for the Disposition of Funds Arising From the Sale of Said Bonds; and to Provide for the Retirement of all Outstanding Indebtedness of the Town of Clio", being Act No. 1253 of the Acts of 1936 is hereby repealed

§ 2. Laws reenacted.—All provisions of law in effect at the time of the passage of the said Act referred to in the preceding Section and in any way altered, modified or affected by said Act are hereby re-enacted.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 3rd day of February, 1937.

(491)

No. 575.

AN ACT to Authorize the Treasurer of Marlboro County to Refund Certain Taxes Erroneously Paid on Property of Estate of H. L. B. McCall.

Section 1. Tax refund on estate lands of H. L. B. McCall by Marlboro County.—Be it enacted by the General Assembly of the State of South Carolina: That the owner of the Estate lands of H. L. B. McCall for the years 1927-8-9 and 1930, be authorized to file a claim with the Board of County Commissioners of Marlboro County for taxes erroneously paid to the Treasurer of Marlboro County on thirty-seven (37) acres of land more than was owned, such claim must be made by the owner, or owners, of the land for the four years stated, and upon it being sworn to and approved by the County Auditor, the County Commissioners shall approve said claim for payment; and the County Treasurer shall pay the same and correct her records accordingly in settlement with the State Comptroller. *Provided*, That this refund shall not cover State taxes or the 3 mill constitutional tax for schools.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act to take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(476)

No. 576.

AN ACT to Authorize and Empower the County Commissioners of Marlboro County to Issue Bonds for the Purpose of Enlarging the Marlboro County General Hospital and Further Equipping the Same; to Provide for the Retirement of Said Bonds and for an Election on the Question of Their Issue After Conveyance of Said Hospital and Agreement Thereabout.

Section 1. Marlboro County issue bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Commissioners of Marlboro County be, and it is hereby, authorized and empowered under the terms of this Act to issue and sell not exceeding Fifty Thousand (\$50,000.00) Dollars of Serial Coupon Bonds for and on behalf of Marlboro County; said bonds to bear

interest at the rate not exceeding four (4%) per cent per annum, payable both as to principal and interest at the office of some bank or trust company in the City of New York to be selected by the County Board of Commissioners. Such bonds shall mature within twenty (20) years from the date of issue; the first payment on principal to become due not less than three years from the date of issue and the remainder in equal amounts, or as near equal as practical, each year thereafter. The amount of bonds to be issued hereunder shall be determined by the County Delegation for Marlboro County and the Board of Trustees of Marlboro County General Hospital; *Provided*, That any bond issued under this Act shall, at the option of the Board of Commissioners, become payable, as to principal, at any regular interest paying period.

§ 2. Execution, sale, deposit, disbursement, and use of proceeds.—Said bonds shall be signed by the Chairman of the Board of County Commissioners of Marlboro County and countersigned by the Clerk thereof: *Provided*, That the same names attached to the coupons of said bonds may be lithographed, which shall constitute a proper and sufficient signing. The bonds shall be sold after at least three weeks advertisement in some newspaper of general circulation in the State of South Carolina for not less than par and accrued interest. The proceeds of such sale shall be deposited in a Bank in the Town of Bennettsville to be designated by the County Commissioners, the County Delegation and the Hospital Board of Trustees, and shall be drawn out only upon warrants signed jointly by the Chairman of the Board of County Commissioners and someone designated as Treasurer for such particular funds by the Board of Trustees of the Hospital, and shall be used exclusively for the purpose of enlarging the Marlboro General County Hospital and equipping said addition and said hospital generally.

§ 3. Payment—exempt from taxes.—There shall be levied annually upon all of the taxable property of Marlboro County, a tax sufficient to pay the interest upon said bonds and to retire the sums as they become due. The Auditor of Marlboro County shall enter the said tax upon his tax duplicate and the County Treasurer shall pay said bonds as they become due.

All bonds issued pursuant to this Act shall be exempt from all State, County, School, and Municipal taxes in this State, and shall be incontestable in the hands of *bona fide* holders notwithstanding any irregularities in the issuance thereof.

§ 4. Trustees of hospital agree convey hospital and equipment and for board—election.—Before any bonds shall be issued under and pursuant to this Act, an agreement shall be had between the Board of Trustees of Marlboro County General Hospital and the County Commissioners for Marlboro County whereby the present hospital and its equipment shall be conveyed by fee simple deed to Marlboro County so as to make of said hospital a public building; and such agreement shall also provide for a Board to be charged as Trustees or Directors with the general running and operation of said hospital. Nor shall any bonds be issued hereunder until the question of such issue shall be first submitted to the qualified electors of Marlboro County after at least three weeks notice of said election. The Board of County Commissioners of Marlboro County shall provide for said election, appoint managers, and do everything necessary for carrying it out, shall designate the time for the holding of said election. Voting thereon shall be had at the precincts now provided by law. They shall cause to be printed a sufficient number of ballots on which shall be printed the following:

“Shall Marlboro County issue bonds for the enlargement and equipment of its hospital not in excess of Fifty Thousand Dollars

Yes

No.

Those in favor shall erase the word “no” and those opposed shall erase the word “yes”.

The maximum amount of bonds proposed to be issued shall be shown on all tickets.

§ 5. Effect of election result.—If it shall be determined that a greater number of ballots cast were in favor of the issue of said bonds, the bonds may be issued as hereinbefore provided; but, if a majority of the ballots cast is opposed, none shall be issued.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(437)

No. 577.

AN ACT to Declare, Determine, Establish and Fix the Boundaries of the Town of Bennettsville, Marlboro County, South Carolina.

1. Boundaries of town of Bennettsville.—Be it enacted by the General Assembly of the State of South Carolina: That the Town of Bennettsville, Marlboro County, South Carolina, comprises and includes all of that portion of Marlboro County mentioned and described in the original charter of the said Town, and in the additions that have been made from time to time pursuant to Acts of the General Assembly of South Carolina, and that the boundaries of the said Town are hereby declared, determined, established and fixed as follows:

Beginning at the point where the B. and C. Railroad crosses the Crooked Creek Canal and running thence with said railroad S. $33\frac{1}{2}$ E. 3050 ft.; thence S 87 E 1270 Ft. to a T Iron marker; thence N $77\frac{1}{4}$ E 125 ft. to an Iron marker; thence S 25 E 390 Ft. to an iron marker; thence N $64\frac{1}{4}$ E 515 ft. to an iron marker; thence S 50 E 800 ft. to King Street; thence S. $48\frac{1}{4}$ E 1540 Ft. to an iron marker on First Street near the Cotton Mill; thence S 58 E 790 Ft. to a point by the A.C.L. Railroad; thence N $46\frac{1}{4}$ E 2770 ft. to a granite monument by west side of Broad Street near the power plant; thence N $58\frac{1}{4}$ E 2200 ft to a steel marker on E side Breeden Street; thence N $61\frac{1}{2}$ E 775 Ft to an iron marker; thence N 70 E 2000 ft, to the east side of the Hebron road, now Highway No. 9, Federal No. 15-A; thence N $60\frac{1}{2}$ W 345 ft. to property of Rockingham railroad; thence along south side of said railroad on a curve N $33\frac{1}{2}$ E 490 ft. to the north edge of the old Fayetteville road; thence N. $26\frac{1}{2}$ W 2010 ft. to the north edge of E. Main Street; thence N. $42\frac{1}{2}$ W to North Bank of Crooked Creek Canal; thence with said North Bank to the beginning point.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(350)

No. 578.

AN ACT to Provide for the Levy of Taxes for Newberry County for the Fiscal Year Beginning July 1, 1937, and Ending June 30, 1938, and to Provide for the Expenditures Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the following amounts are hereby appropriated for the following purposes only, and for the County of Newberry for the fiscal year beginning July 1, 1937, and the salaries of officers and employees are fixed as hereinafter stated:

Item 1: For Salaries of County officers:

To be disbursed as follows:

Clerk of Court of Common Pleas and General Sessions and Reg- ister of Mesne Conveyance....\$	2,400.00
Clerical help for Clerk of Court of Common Pleas	300.00
Sheriff	2,500.00
Delinquent Tax Collector	1,600.00
Clerical Help for Delinquent Tax Collector	150.00
Jailer (to be appointed by Sheriff)	900.00
One Special Senior Deputy Sher- iff	\$ 1,800.00
One Special Deputy Sheriff	1,500.00
For Finger Print Expenses	100.00
County Treasurer	2,700.00
County Auditor	2,400.00
Probate Judge	2,400.00

Provided, That the salaries fixed herein for the Clerk of Court of Common Pleas and General Sessions and Register of Mesne Conveyance, and County Treasurer and County Auditor, Probate Judge and the Sheriff shall be in full of their compensation and the above amounts, in case of the Treasurer and Auditor, are inclusive of the amounts payable to them by the State, the County to pay only the difference between such amounts and the sums herein fixed, the fees, costs, charges and commissions payable to said officers, respectively, under any special or general statute, shall be collected by them and paid monthly into the County Treasury. Where provision is made by statute for the charging of fees, costs, or commissions for any serv-

ices on the part of either of said officers, it shall be the duty of such officer to collect such fees, costs and charges in advance and should he fail to do so, he is made personally liable therefor, and is required hereby to make payment thereof as if he had collected the same. *Provided*, That the Probate Judge shall not be required to collect fees in advance except such fees as are customarily collected in advance and that the Clerk of Court and the Sheriff shall, in case of matters in the Court of Common Pleas where an affidavit is made by the prospective litigant, or litigants to the effect they are unable to pay such fees in advance, then the said Sheriff and Clerk of Court shall not be required to collect such fees in advance and shall not be responsible therefor; That the Sheriff be allowed the fees for dieting federal and county prisoners according to the dieting fees allowed by federal and state authorities. *Provided*, That the Treasurer is hereby authorized to pay all exchange charged by the bank on checks given in payment of taxes.

Superintendent of Education\$ 2,000.00

Provided, That, if the State of South Carolina undertakes to pay any portion of the salary of the Superintendent of Education, the amount appropriated by the County shall be decreased a like amount.

County Physician or Physicians,
if so much be necessary 500.00

Provided, That he treats all jail patients, and chaingang.

Coroner 500.00

County Supervisor 2,000.00

Two (2) Commissioners at \$500-
.00 each 1,000.00

Clerk, Attorney and Bookkeeper
of the Board of Commissioners. 1,100.00

Magistrates as follows:

District No. 1—Whitmire 450.00

District No. 2—Newberry 900.00

District No. 3—Prosperity 450.00

District No. 4—Pomaria 270.00

District No. 5—Little Mountain.. 120.00

District No. 6—Chappells	120.00	
Constables :		
District No. 1—Whitmire	375.00	
District No. 2—Newberry	900.00	
District No. 3—Prosperity	375.00	
District No. 4—Pomaria	256.50	
District No. 5—Little Mountain..	120.00	
District No. 6—Chappells	120.00	
Total Item 1		\$ 30,246.50
Item 2. For the current expenses of the		
County Home and for the pau-		
pers and pensioners, and the bal-		
ance, if any, for making needed		
repairs and additions to the		
county Home property, if so		
much be necessary		
	\$ 4,000.00	
<i>Provided</i> , \$400.00 be spent for the		
installation of sewerage and fire		
protection.		
Total Item 2.		\$ 4,000.00
Item 3. Roads, Bridges and Ferries		
	\$ 8,500.00	
<i>Provided</i> , That whatever amount		
may be necessary shall be used		
to maintain Henderson's Ferry		
Total Item 3.		\$ 8,500.00
Item 4. Chaingang Maintenance		
	\$ 9,000.00	
Total Item 4.		\$ 9,000.00
Item 5. For repairs on public buildings,		
contingent expenses and sup-		
plies for public buildings and		
county offices, including fuel,		
water, lights, and insurance, if		
so much be necessary		
	\$ 3,500.00	
Total Item 5.		\$ 3,500.00

Item 6. For books, stationery, postage,
printing and repairing and re-
binding books and records in
the County Court House, if so
much be necessary\$ 1,500.00

Total Item 6. \$ 1,500.00

Item 7. Miscellaneous and Contingent ex-
penses to be applied as follows:
For the benefit of the Ladies'
Rest Room—Newberry, during
the fiscal year 1938, payable
monthly\$ 250.00

Provided, That a like amount is
furnished by the Town of New-
berry for the same purpose.

To Carolina Orphan Home for
past due maintenance charges
for such children of Newberry
County as may be inmates of
said Home 435.00

For expenses 1937-38 vital statis-
tics 320.00

For Newberry County Health
Unit the sum of \$4,000.00 is
hereby appropriated to be paid
as salaries in the following man-
ner:

The physician of said Unit..... 1,600.00

To the Health and Service Of-
ficers 1,200.00

For telephone, car expenses and
incidentals for Health and Serv-
ice Officer 100.00

To the County Nurse 1,200.00

And the further sum of \$350.00 is
hereby appropriated for past
due and current rent, if so much
be necessary 350.00

Two (2) uniforms for two special Deputy Sheriffs, if so much be necessary	80.00	
For premiums on bonds of County Officers, if so much be necessary	1,000.00	
Gas, Oil and Repairs for Deputy Sheriff's car, if so much be necessary	500.00	
Salary for Assistant County Agent Stenographic services, Janitors services, stamps and office incidentals for the office of the County and Home Demonstration Agent	1,200.00	
Boys 4-H Club Work	480.00	
Girls 4-H Club Work	50.00	
Rent for Relief Organization of Newberry County	50.00	
For printing in the County Newspapers itemized quarterly reports of said expenditures by the County Board of Commissioners	480.00	
Miscellaneous Contingent Fund not specifically appropriated to be paid out as hereinafter directed or in the discretion of the County Board of Commissioners: <i>Provided</i> , That \$1,200.00 shall be expended upon written direction of the Legislative Delegation, and <i>Provided, Further</i> , That any amount in excess of \$100.00 shall only be expended upon the written approval and consent of the majority of the Legislative Delegation including the Senator	300.00	
	2,500.00	
Total Item 7		11,960.00

Item 8.	For the members of the several Board of Assessors of the County Board of Equalization, per diem at the rate of \$2.50 per day and mileage at the rate of 10¢ per mile one way from such member's residence to the County Court House: <i>Provided</i> , That in no case shall any one member be paid mileage exceeding five times and then only and unless the same be actually traveled ..\$	350.00
	Total Item 8	\$ 350.00
Item 9.	For expenses of Court of Common Pleas and General Sessions, if so much be necessary\$	2,500.00
	Total Item 9	\$ 2,500.00
Item 10.	For dieting prisoners at 40¢ per day, if so much be necessary ..\$	2,000.00
	Total Item 10	\$ 2,000.00
Item 11.	Post Mortems and examining and conveying lunatics, and Coroner's inquests, office supplies, traveling expenses and stenographic services, if so much be necessary\$	300.00
	Total Item 11	\$ 300.00
Item 12.	For interest on loan, if so much be necessary\$	500.00
	Total Item 12	\$ 500.00
	Grand Total	\$ 74,356.50

§ 2. The sum of one hundred and eighty (\$180.00) dollars is hereby appropriated out of the Road and Bridge Fund for ferrymen,

if so much be necessary, to supplement the salaries of the ferrymen who operate between the counties of Newberry and Fairfield for the year 1937.

§ 3. That every three months the Board of Commissioners shall advertise for at least two issues in one of the newspapers published in the Town of Newberry for bids, based on delivery at the Court House, unless otherwise specified, for all implements, books, stationery and supplies of whatever kind which may be needed for the County and each and every office thereof, except the Superintendent of Education, including supplies, books and stationery and equipment and all purchases whatever for the Commissioners, Sheriff, Clerk of Court, Treasurer, Auditor, Judge of Probate, Tax Collector, Magistrates, for the County Home, Chaingang, roads and bridges, and for every other purpose, which advertisement shall set forth the article and approximately the amount thereof to be purchased, and the contract of purchase shall be awarded to the lowest responsible bidder for a period of three months: *Provided, However,* In case of emergency, the Board of Commissioners may make purchase for the County where the cost thereof does not exceed fifty (\$50.00) dollars, and for such purpose a majority of the Board of Commissioners shall certify on the claim therefor the necessity thereof: *Provided, Further,* In case of emergency an advertisement as hereinabove provided may be inserted at any time, but all contracts for the purchase of supplies shall be in accordance with the provisions of this section, and no Bill, account or claim of any kind whatever against the County shall be paid unless previously contracted for by such competition, or by the Board of Commissioners in case of certified emergency. No supplies shall be bought or expenses incurred by any County officer or employee except by consent of the Board of Commissioners, unless otherwise provided by law. The Board of Commissioners, shall have the right to reject any and all bids, provided, however, that the County Superintendent of Education shall be designated as purchasing agent for all office supplies for his said office and for all school supplies of every nature and description for the county.

§ 4. The Head Bailiff of the Court and the Court Crier, each shall receive three (\$3.00) dollars per day and other Bailiffs two and 50/100 (\$2.50) dollars per day for each day's service for the fiscal year 1937.

§ 5. All salaries herein provided shall be for the fiscal year 1937-1938, and shall be paid monthly.

§ 6. In addition to the salary herein allowed to the Probate Judge for his services beginning July 1st, 1937, said Probate Judge shall be entitled to retain and hold one-half ($\frac{1}{2}$) of the Marriage License fees, the other half shall be paid monthly to the County Treasurer; and fee for marriage license in Newberry county shall be one dollar and fifty (\$1.50) cents; also any and all fees derived from pensions shall also be retained by him.

§ 7. That all revenue and income accruing to the County of Newberry in 1937-1938 from other sources than from the taxes herein provided shall be used for meeting the appropriation herein made.

§ 8. The County Auditor is hereby authorized, empowered, directed and required to levy upon all of the taxable property in the County of Newberry for the year beginning July 1st, 1937 a sufficient tax levy to raise a sufficient sum of money to pay interest on the County indebtedness and all appropriations made herein, inclusively.

§ 9. That in addition to the levy hereinabove provided for, the special tax of two (2) mills is hereby levied on all taxable property in the County of Newberry for the fiscal year beginning July 1st, 1937, the amount produced by said levy to be used exclusively for the maintenance and upkeep of the roads, bridges and ferries of said county.

§ 10. Any unexpended portion of the \$2,000.00 appropriated for the Tri-County Power Authority to remain intact and to be expended for that purpose, and to be paid out as provided in the Acts of 1935.

§ 11. A special levy of one-fourth ($\frac{1}{4}$) of a mill for the year beginning July 1st, 1937, is hereby levied and directed to be collected on all real and personal property of Newberry County returned for taxation for the exclusive purpose of creating a fund for the Newberry County Hospital: *Provided*, That the revenue obtained by said levy shall be expended for charity patients at the said Newberry County Hospital, and an annual itemized report as to how same has been expended be made to the Newberry County Legislative Delegation.

§ 12. For the purpose of assisting in the enforcement of law and order in District No. 1, Whitmire, and the vicinity thereof, which at present is impossible because the officers of Union County have

no authority to go into Newberry County, and the officers of Newberry County have no authority to go into Union County in the discharge of their respective official duties, in the event the Governor of the State shall appoint and commission the Magistrate's Constable appointed by the Magistrate at Whitmire as State Constable an office of the State to aid in the enforcement of law and order in the vicinity mentioned, and in the event the said officer has conferred upon him proper authority to enforce the law of the State in the two counties mentioned, which said Constable or officer is to be appointed by the Magistrate of District No. 1 at Whitmire, S. C., and said Constable shall be under the supervision of the Magistrate of District No. 1 at all times. The Board of Commissioners are hereby authorized and empowered and directed to pay out of the Miscellaneous Contingent Fund the sum of not exceeding four hundred and eighty (\$480.00) dollars to help the salary and expenses of such State Constable or officer so appointed by the Governor, the amount to be paid for said purpose to be fixed by the Legislative Delegation of Newberry County, but not to exceed the sum herein appropriated, the said sum to be paid the said State Constable or officer in monthly installments: *Provided*, That payments shall be discontinued by said Board of Commissioners at any time when notice to said Commissioners to discontinue the same is given by the majority of the Legislative Delegation of Newberry County. The said officer is to perform the duties of Magistrate's Constable for District No. 1, and shall receive the salary provided for such Constable and in the event that the powers and duties conferred upon him as State Constable are taken from him by the Board of Commissioners as above provided, then such officer or some other person named in his stead shall continue to hold and discharge the duties of Magistrate's Constable for District No. 1, and receive only the salary provided therefor.

§ 13. That the County Board of Commissioners are hereby authorized, empowered and directed to pay from the Miscellaneous Contingent Fund hereinabove provided for, any and all claims against the County, payment of which is barred because of failure of the holders thereof to present the same heretofore in due time when it appears to said Commissioners that said claims are just and proper claims against the County; *Provided*, That the amount so used, as directed herein, shall not exceed the sum of one thousand (\$1,000-.00) dollars.

§ 14. That the Supervisor and County Treasurer shall advertise in two issues of the County papers, and one issue of a daily paper before placing any loan herein authorized requesting bids for the interest on said loan or loans, and interest on said loan or loans shall not exceed five (5%) per cent. per annum.

§ 15. That the County Auditor of Newberry County is hereby authorized and directed, upon the request of the County Board of Education to make a levy of six (6) mills upon all the property of the County to insure the compliance of the County as a unit for the administration of the existing law, providing for the term or terms as now provided by law, or any excess time thereof, and it shall be the duty of the County Board of Education to demand and receive from the principal or Superintendent of every school in said County, along with the annual report and budget of teachers' salaries in his school according to the State schedule or any other information deemed advisable in making County salary and operating budget for the ensuing year. *Provided*, The State of South Carolina operates the schools for a period of eight (8) months, then only four (4) mills of this levy shall be available.

§ 16. A special levy of one-half ($\frac{1}{2}$) mil for the year beginning July 1st, 1937, is hereby levied and directed to be collected on all real and personal property of Newberry County returned for taxation for the exclusive purpose of creating a fund for the Newberry County Board of Education; *Provided*, That the revenue obtained by said levy shall be expended for insuring County School Buildings and equipment.

§ 17. The Newberry County Delegation in the General Assembly is hereby vested with full power and authority to order an audit during the year 1937-1938 of any or all departments of the County, and the sum of three hundred and fifty (\$350.00) dollars is hereby appropriated for said purpose, the same to be paid from the Miscellaneous Contingent Fund of Newberry County: *Provided*, That if this amount is not sufficient, it shall be supplemented by funds not otherwise appropriated, that such Auditor shall be named by the Newberry County Legislative Delegation and said audit to be printed in the County Newspaper.

§ 18. That in the event there are discovered mistakes in this Act, or it becomes necessary to make corrections, or to authorize transfers of balances from one Item to another, or to provide for monies or things not otherwise provided for in this Act, the same may be

corrected, authorized for upon the unanimous written approval of the Legislative Delegation from Newberry County, and a copy shall be kept on file at the office of the Clerk of Board of Commissioners.

§ 19. That the Tax Collector for Newberry County shall be allowed one-half of the penalty of three (3%) per cent on delinquent taxes. That is one and one-half ($1\frac{1}{2}$) per cent of same for the purpose of obtaining assistance in the collection of delinquent taxes and also the mileage allowed by law, for one trip only to each delinquent.

§ 20. The sum of three hundred (\$300.00) dollars is hereby appropriated for the purpose of employing a Negro Demonstration Agent in Newberry County, provided this amount will be supplemented by Federal Funds.

§ 21. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 22. This Act shall take effect upon its approval by the Governor.

Approved the 16th day of April, 1937.

(91)

No. 579.

A JOINT RESOLUTION Providing for the Expenditures of Newberry County for the First Six Months of the Year 1937.

Whereas, it is to the advantage of the Government of Newberry County for the fiscal year to begin on July 1st, and end on June 30th, and

Whereas, by statute of the fiscal year of Newberry County has been changed so as to begin on July 1st and end on June 30th, thus rendering it necessary, in order to accomplish this change in an orderly way, for provision to be made for the operation of the County Government and other County activities from January 1st, 1937, to June 30th, 1937, a period of six (6) months, *Now Therefore*,

Section 1. Appropriation for January 1, 1937, to July 1, 1937, Newberry County.—Be it resolved by the General Assembly of the State of South Carolina: That the appropriation made in Act No. 1256, Acts of 1936, being Newberry County Supply Act of 1936 are hereby extended for an additional six (6) months so as to be effective for the period beginning January 1st, 1937, and ending June 30th, 1937. It is the intention of this Resolution to effectively provide for the necessary expenditures of the county for the first six (6) months

of 1937 on the same basis and scale as was provided for the calendar year 1936. *Provided*, that the following amounts which were not included in 1936 Supply Bill, are hereby appropriated:

Car for Deputy Sheriff	\$685.00
Gas and Oil for Deputy Sheriff's car.....	250.00
Rural Electrification Survey of Newberry County	500.00
For printing in the County Newspapers itemized quarterly report of expenditures by the County Board of Commissioners	150.00

§ 2. Revenues use pay.—So much of the County income as may be collected during the said six months period from the gasoline tax, from fines, from the Insurance Commissioner's office, from the beer and wine tax, from the liquor tax, and from other miscellaneous sources, shall go into the General Fund of the County and be used for the purposes above set forth.

§ 3. Use other funds pay expenses.—The County Treasurer and the County Commissioners are hereby authorized and directed to use such cash as may be on hand from the 1936 or prior tax collections, and such funds as shall accrue from any source during the first half of 1937 to meet the expenses of Newberry County as provided for in this Resolution.

§ 4. Legislative delegation make changes.—In order that any unforeseen difficulty in administering this change of the fiscal year of Newberry County may be provided for, authority is hereby expressly given to the Legislative Delegation of Newberry County or a majority thereof including the Senator to make such changes in the allocation of funds or in the general administration of the County finances as may to them appear necessary, reasonable, or convenient for carrying out the provisions of this Resolution.

§ 5. This Resolution shall take effect upon its approval by the Governor.

Approved the 24th day of February, 1937.

(150)

No. 580.

AN ACT Providing for the Payment of 1935 Taxes in Newberry County in Installments Under Certain Conditions.

Section 1. Pay 1935 taxes in installments, Newberry County.
—Be it enacted by the General Assembly of the State of South Carolina: That any person, firm or corporation in Newberry County

desiring to pay 1935 taxes in installments may be permitted to do so in three (3) installments of one-third each; *Provided*, That the first installment be paid on or before the first day of May, 1937; and the remaining two-thirds not later than November 1, 1937; that an interest charge of five (5%) per cent. per annum shall be made on all unpaid taxes for the year 1935 from and after the first day of May, 1937, on such portion of said taxes as may be deferred; *Provided*, That any additional expense for books and blanks incurred by reason of this Act shall be borne by the County.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 11th day of March, 1937.

(486)

No. 581.

A JOINT RESOLUTION to Exempt Certain Drought Sufferers in Newberry County From the Payment of County and School District Taxes for 1936, and to Provide for Refund of Taxes Paid.

Whereas, certain taxpayers in Newberry County, during the year 1935 suffered serious and unprecedented crop loss by reason of drought, *Now, Therefore*

Section 1. Drought sufferers exempt from taxes, Newberry County.—Be it resolved by the General Assembly of the State of South Carolina: That any taxpayer in Newberry County, who in 1936 sustained crop losses on account of drought in said School Districts, as a result of which his land therein produced less than twenty-five (25%) per cent of the normal yield thereof, shall be exempt from the payment of all County and School District taxes for 1936 levied upon the farm lands of such taxpayer in said County; *Provided*, That such taxpayer files a claim under oath and approved by the Board of Equalization of said County with the Treasurer of said County, setting out the amount and nature of his damage, the decision of the said Board of equalization upon the right to and the amount of any individual refund or tax exemption to be made to any taxpayer to be final.

§ 2. **Refund taxes if paid.**—That any taxpayer coming within the class described in Section 1 hereof who shall have paid such 1936 taxes and who is entitled to such exemption, shall be refunded

the taxes heretofore paid by him, upon the establishment of his right to exemption in the manner provided by Section 1 hereof.

§ 3. Approved claim voucher of treasurer.—That the approved claim provided for in Section 1 hereof shall constitute the proper voucher of the Treasurer on all exemptions allowed and all refunds made as herein provided for, and the Comptroller General is hereby authorized and required to approve and allow the same in his annual settlement.

§ 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 5. This Joint Resolution shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(231)

No. 582.

A JOINT RESOLUTION Authorizing, Empowering and Directing the Treasurer of Newberry County to Refund the Sum of One Hundred Thirty Seven and Ninety Four One Hundredths (\$137.94) Dollars, to S. P. McCrackin Estate, Which Amount was Erroneously Paid by the S. P. McCrackin Estate as Taxes to the County of Newberry.

Whereas, S. P. McCrackin estate has paid taxes to Newberry County on a tract of one hundred forty seven (147) acres of land which has been found to be located in Laurens County, and the taxes so paid by this party to Newberry County, amounts to the sum of one hundred thirty seven and ninety four one hundredths (\$137.94) Dollars, *Now Therefore*,

Section 1. Tax refund by Newberry County to S. P. McCrackin estate.—Be it resolved by the General Assembly of the State of South Carolina: That the Treasurer of Newberry County, be, and is hereby authorized, empowered and directed to refund to S. P. McCrackin Estate, the sum of One hundred thirty seven and ninety four one hundredths (\$137.94) Dollars, erroneously paid by this party to the County of Newberry for taxes on a tract of one hundred forty seven (147) acres of land supposed to have been located in school District No. 51 in Newberry County, but which has been ascertained to be in Laurens County.

§ 2. Estate give receipt.—That upon payment of the said amount mentioned in Section one thereof the Treasurer of New-

berry County will take receipt of the party mentioned and that this resolution be his authority for so doing.

§ 3. This Resolution shall take effect upon its approval by the Governor.

Approved the 26th day of March, 1937.

(496)

No. 583.

AN ACT to Authorize and Empower Silverstreet Consolidated High School District in Newberry County to Borrow an Amount Not to Exceed Twenty Thousand (\$20,000.00) Dollars to be Used for the Purpose of Refinancing Obligations of Said District Now Evidenced by Notes and Bonds, and to Provide for the Repayment of Same.

Section 1. Silverstreet Consolidated High School District borrow refinance indebtedness, Newberry County.—Be it enacted by the General Assembly of the State of South Carolina: That Silverstreet Consolidated High School District (composed of Reagin School District No. 8; Dead Fall School District No. 9; Utopia School District No. 10; Old Town School District No. 40; Trinity School District No. 45; Burton School District No. 46; and Silverstreet School District No. 58.) in Newberry County is hereby authorized and empowered to borrow not exceeding twenty thousand (\$20,000.00) dollars for the purpose of refinancing obligations and indebtedness of said District now evidenced by notes and bonds.

§ 2. **Issue notes.**—That the trustees of Silverstreet Consolidated High School District in Newberry County are hereby authorized and empowered to issue either notes or bonds of said District in the aggregate amount of not exceeding twenty thousand (\$20,000.00) dollars at a rate of interest not in excess of four (4%) per cent. per annum and for such a period of time and in such amount as the trustees may deem for the best interests of said school District. The trustees of the said School District are hereby authorized to empower and direct such member or members of the Board of Trustees to execute a note or bonds for and in behalf of the Board, and in such manner as it may direct.

§ 3. **Payment.**—That in order to provide for the payment of said note or bonds there shall be levied an annual tax of four mills upon all of the taxable property of the said Silverstreet Consolidated High School District in Newberry County. The entire proceeds of

this special levy shall be paid over annually to the holders of said notes or bonds by the County Treasurer of Newberry County to be applied on the payment of the principal and interest of the note or bonds given to secure the loan^o herein authorized and until the said loan is paid in full, at which time the tax shall no longer be levied. It shall be the duty of the auditor of Newberry County to levy the said special tax annually on all of the taxable property of said school District and the duty of the Treasurer of Newberry County to collect the tax so levied as other taxes are now collected by law.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(539)

No. 584.

AN ACT to Provide for the Borrowing of Eight Hundred (\$800-.00) Dollars by the School Trustees of Richland School District No. 19 of Oconee County to be Used in the Erection, Construction and Equipment of a School Building in Said District: and to Provide for the Levying of Taxes Sufficient to Pay the Same.

Section 1. Richland School District No. 19 construct and equip school building for negro pupils, Oconee County.—Be it enacted by the General Assembly of the State of South Carolina: That the School Trustees of Richland School District No. 19 of Oconee County be, and they are, hereby authorized and empowered to erect, construct and equip a school building in said School District to be used by negro pupils; *Provided*, that the costs of same shall not exceed the sum of Eight Hundred (\$800.00) Dollars.

§ 2. **Borrow—issue notes.**—That the Trustees of said School District are hereby authorized and empowered to borrow for and in behalf of said School District the sum of Eight Hundred (\$800-.00) Dollars, and to issue a note or notes of said District as evidence thereof. That they are further authorized and empowered to issue renewal notes when such note or notes become due. The said note or notes shall bear such rate of interest and contain such terms and conditions as said Trustees deem advisable. The said Trustees

are authorized and empowered to use the proceeds of said loan in carrying out the provisions of Section 1 above.

§ 3. **Payment of notes.**—The Auditor of Oconee County is hereby directed to levy a tax of one (1) mill upon all the taxable property in said District for the year 1937, and a like amount each year thereafter until the said loan and interest thereon are paid in full, and the Treasurer of said County is directed to collect said tax in like manner as other taxes are collected.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 13th day of May, 1937.

(644)

No. 585.

AN ACT to Provide for the Operation of Orangeburg County and the Welfare of its People, During the Period July 1, 1937, to June 30, 1938; to Direct County Activities and to Levy Taxes for County Purposes; to Regulate Expenditures of School and County Funds During the Said Period; and to Make Certain Violations of This Act a Misdemeanor and Provide Punishment Therefor.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: For all county purposes and the operation of Orangeburg County during the period beginning July 1, 1937, and ending June 30, 1938, the amounts stated herein are hereby appropriated; and to pay the same there is hereby levied for the tax year 1937 five (5) mills on all property in said County:

Item 1. Expense, Chaingang, Maintenance
and Construction of County
Roads\$ 56,000.00

Provided, That the County Highway Department is to maintain County Highways and to discontinue construction of new roads to keep expenditures within the total amount herein provided.

Item 2: Lumber and material for Repair
of Major Bridges in the County 6,000.00

- Item 3. Purchase of Maintenance Machines 8,000.00
Provided, No individual member of the County Highway Commission may commit the County to the expenditure of any part of the funds provided in Items 1, 2 and 3 and any contract for, or purchase of, any machine or involving more than Fifty (\$50.00) Dollars, shall not be legal or binding unless approved, before delivery of such machine or articles purchased, by a majority of the said County Highway Commission at a regular or special meeting of the said Commission.
- Item 4: Culvert on Cannon Bridge Road.. 450.00
- Item 12. Operation Pipe Plant 3,000.00
- Item 13. R. F. D. Routes 2,400.00
Provided, This sum shall be used for the improvement of rural free mail routes not now public highways to be distributed by the Orangeburg County Highway Commission.
- Item 14. Salary, Superintendent County Farm 840.00
- Item 15. Expense, County Farm 400.00
- Item 19. Salary, Jailor 720.00
- Item 20. Salary, Sheriff 2,400.00
Provided, That in the service of papers in actions or special proceedings in any civil case the Sheriff shall be allowed to charge and collect milage at the rate now allowed by law and to retain the same as a part of the compensation of his office.

Item 21.	Expense, Sheriff Outside County. <i>Provided</i> , If it become necessary to go out of State, expenses therefor must be approved in advance by the Delegation.	250.00
Item 22.	Salary and Expense Deputy Sheriff	1,920.00
Item 23.	Jail, Dieting Prisoners Sheriff shall be allowed thirty-five (35¢) cents a day for dieting prisoners in County Jail.	2,500.00
Item 24.	Jail, Equipment, Repairs, Heating and Miscellaneous Expenses ..	1,500.00
Item 25.	Salary and Expenses, Chief Out- side Deputy	2,100.00
Item 26.	Salary and Expense, 5 Outside Deputies	9,500.00
Item 27.	Salary, Magistrate Orangeburg..	1,650.00
Item 28.	Salary and Travel, Constable for Magistrate at Orangeburg	1,450.00
Item 29.	Salaries, Magistrates, as follows: at North \$420.00; at Branch- ville, Bowman, Holy Hill, Ello- ree and Springfield \$360.00 each; all others \$300.00 each.	3,420.00
Item 30.	Stenographic Services for Orangeburg Magistrate	60.00
Item 35.	Office Expense, Farm Demonstra- tion Agent	75.00
Item 36.	Travel Expense, Farm Demonstra- tion Agent	300.00
Item 37.	Stenographic service, Farm and Home Demonstration Agents..	600.00
Item 38.	Expense, Home Demonstration Agent	280.00
Item 39.	Salary, Farm Demonstration Agent to supplement that from other sources	250.00

Item 40. Boys' 4-H Clubs	50.00
Item 41. Girls' and Women's Clubs.....	100.00
Item 42. Assistant Home Demonstration Agent	600.00
Item 43. Salary and Expense, Negro Farm Demonstration Agent	1,230.00
<i>Provided</i> , \$480.00 be used for assistant.	
Item 44. Negro Home Demonstration Agent	300.00
Item 45. Office Expenses Negro Home Demonstration Agent	180.00
Item 46. Office Expense Negro Farm Demonstration Agent	240.00
Item 50. Salary, County Health Director.	2,080.00
<i>Provided</i> , So much shall be used as necessary to make the total salary received \$3,480.00 after allowing for any amount received by him from the State Board of Health or other sources.	
Item 51. Orangeburg County Health Nurse	1,700.00
Item 52. Orangeburg County T. B. Association, to aid salary and travel of nurse	1,000.00
Item 53. Office Expense, Health Director.	350.00
Item 54. Auto Expense, Health Director and Nurse	600.00
Item 55. Venereal Clinic, Medicines and supplies	400.00
Item 60. Salary, Members of Highway Commission	2,500.00
Item 61. Salary and Expense, Director of Maintenance	2,400.00
Item 62. Salary, Clerk of Highway Commission	1,200.00

Item 63. Salary, County Attorney..... 600.00

Provided, That all previous provisions of law regarding the election and terms of the County Attorney are repealed as of June 30, 1937; the County Highway Commission is hereby authorized to employ a County Attorney after July 1, 1937, who, upon approval by the Delegation, shall serve during the pleasure of the Commission and the Delegation.

Item 64. Clerical Help, Highway Commission and County Engineer 250.00

Item 69. Circuit Court Expense 3,750.00

Item 70. County Court Expenses(Jurors, witnesses, including Bailiffs at \$3.00 per day each)..... 4,750.00

Provided, That the salary of the County Judge shall be \$2,700.00 per year which shall be paid from this item and in transacting business formerly of the Master the County Judge is authorized to employ a Stenographer who shall be paid \$75.00 per month from this item, and the sum of \$30.00 per month shall also be paid from this item to the Circuit Stenographer for services in the Court room.

Item 71. Salary, Clerk of Court..... 2,400.00

Item 72. Stationery, stamps and official expenses, Clerk of Court 300.00

Provided, Payments under this item be made upon presentation of properly itemized claims and

it shall not be considered a
"lump sum" appropriation.

Item 73. Salary, Deputy Clerk	1,860.00
Item 74. Salary, Stenographer, Clerk of Court	1,200.00
Item 75. Extra Help, Clerk of Court.....	300.00
Item 80. Court House Expenses, Coal, Water, Lights, Insurance, and Telephone calls on official busi- ness, etc.	3,500.00
Item 81. Court House and Grounds for all Janitors	840.00
Item 90. Stationery, Books, for Public Rec- ords Printing, Postage & Ad- vertising	3,000.00
Item 91. Publishing Monthly Reports of County Expenditures	600.00
Item 100. Assistance for Needy & Un- fortunate	2,500.00
<i>Provided</i> , The above includes \$300.00 per year for colored T. B. nurse which may be paid to Orangeburg County T. B. Association,	
Item 101. Miscellaneous Charity; \$600.00 to be used by the Salvation Army for aid in the County of Orangeburg and \$100.00 for Children's nursery in city of Orangeburg	900.00
Item 102. Orangeburg County Children at Carolina Orphan Home	1,000.00
<i>Provided</i> , This item shall be dis- bursed at the rate of \$15.00 per month for each child from the County at this Home; <i>Pro- vided, further</i> , That hereafter homeless orphan children shall be handled by the Children's Placing Bureau.	

Item 103.	Needy Confederate Veterans...	700.00
	<i>Provided</i> , Within the limits of this item aid may be granted to extremely needy widows and sisters of Confederate Veterans.	
Item 110.	Salary, Treasurer	600.00
	<i>Provided</i> , The County shall pay so much as will make his salary from the County and State total \$2,400.00, and acceptance of any payment from the County shall be deemed agreement to this provision.	
Item 111.	Treasurer's Office, Clerical Help	300.00
Item 112.	Salary, Bookkeeper Treasurer's Office	1,860.00
Item 115.	Salary, Collector of Delinquent Taxes	2,400.00
Item 116.	Travel Expense, Collector of Delinquent Taxes	400.00
Item 117.	Assistant to Collector of Delinquent Taxes	1,740.00
Item 118.	Clerk to Tax Collector.....	840.00
Item 120.	Auditor	600.00
	<i>Provided</i> , The County shall pay so much as will make his salary from the County and State total \$2,400.00, and acceptance of any payment from the County shall be deemed agreement to this provision.	
Item 121.	Salary, Clerk to Auditor.....	1,860.00
Item 122.	Auditor's Equalization Fund ...	850.00
Item 123.	Clerical Help, Auditor's office..	600.00
Item 124.	Auditor, Traveling Expense ...	200.00
Item 130.	Salary and Expenses, Superintendent of Education	2,400.00

Item 131. Traveling Expenses Superintendent of Education	200.00
Item 132. Salary, Clerk to Superintendent of Education	1,000.00
Item 133. Clerical help, part-time, in handling Rental Textbooks	600.00
Item 134. Salary, Members County Board of Education	180.00
Item 135. Traveling Library	2,000.00
<i>Provided, The County Board of Education is hereby directed to provide an additional sum of \$2,000.00 from the County Board Fund; The expenditure of the \$4,000.00 provided for the library and the management thereof shall be under the control and direction of a County Library Commission, which shall consist of the County Superintendent of Education, ex-officio, the president of the County Teachers Association, ex-officio, and the following citizens: Mrs. H. C. Wannamaker of Orangeburg, Mrs. A. F. Storm of Four Holes, Mrs. A. L. Black of Bowman, Mrs. W. E. Bennett of Springfield, and Mrs. T. W. Bookhart of Elloree: the said Commission shall elect a chairman and a secretary, and all claims against this item shall be approved by the said Commission, such approval to be certified by the chairman and secretary, before payment.</i>	
Item 141. Salary, Coroner	540.00
Item 142. Salary, Judge of Probate.....	2,400.00

Item 143. Salary, Clerk, Judge of Probate	1,000.00
Item 144. Premium on Bonds of County Officials	750.00
Item 145. Local Register of Vital Statistics	650.00
Item 146. Expense, Service Officer, American Legion	600.00
Item 147. Miscellaneous Expense	2,000.00
<i>Provided</i> , Claims against this Item shall be approved by the Delegation.	
Item 148. Post Mortems, Lunacy and Judge of Probate (County Health Physician shall be used when available and shall draw no extra fees from such service.)	500.00
Item 150. Salaries, Members Board of Registration	300.00
Item 160. Support Machine Gun Co. at Orangeburg	360.00
Item 161. County Audit as Contracted for by the Grand Jury	1,100.00
Item 170. Hospital Aid for Charity Patients	4,800.00
<i>Provided</i> , That the County shall pay \$1.00 per day to any hospital in the County not operated for profit for charity patients for whose care the Duke Foundation pays a similar sum; with notice that such payments will stop when the above amount has been exhausted and that the County assumes no further liability for such aid.	
Item 173. Financial Assistance for W.P.A. Sewing Project in County....	250.00
Item 174. Veterinary Work for County..	1,000.00
<i>Provided</i> , The said sum if necessary shall be spent under the	

supervision of the County
Agent and used for the treat-
ment of contagious and in-
fectious diseases of swine only.

§ 2. The Orangeburg County Highway Commission, before purchasing or placing an order for equipment, material, supplies, goods, wares, merchandise or anything whatever for County purposes shall advertise for bids therefor at least ten (10) days in the newspaper published in the County of Orangeburg having the largest circulation therein, asking for bids and shall place order or orders with the lowest bidder, or may reject any and all bids, *Provided*, that in case of emergency or when it is necessary in the interest of the County of Orangeburg, the Orangeburg County Highway Commission may make purchases of material, supplies, goods wares or merchandise as they may be in immediate need of without advertisement; and in such case it shall be so stated on the voucher. The purpose of this Section is to require the Orangeburg County Highway Commission to purchase county supplies on competitive bids after advertisement. In the purchase of supplies local produce shall be given a preference.

§ 3. The amounts carried under the various items in Section 1, or elsewhere, may be increased, decreased, or repealed, and new items added, all provisions and directions in any Section of this Act, shall be subject to repeal, change, or alteration by written instructions or orders of the Senator and a majority of the Representatives of Orangeburg County holding office at the time of such instructions; such instructions shall be delivered to the Clerk of the Highway Commission and shall have the full force and effect of law from such delivery but subject to future change in the same manner; it is made the duty of the Clerk to have such instructions promptly entered of record by the Clerk of Court of Orangeburg County in a book to be kept for the purpose, which shall be opened for inspection by the public, and after recording the original instructions shall be safely kept by the Clerk of the Highway Commission. It is expressly declared that the members of the Orangeburg County Highway Commission, its Clerk and the County Treasurer shall not be held personally liable for any expenditure of public funds in accordance with such legislative authorizations or instructions issued under the authority of previous county supply bills or as provided for herein, nor shall their official bonds be liable for any ex-

penditure of such funds where they, or any of them, carried out such legislative instructions or authorizations.

§ 4. The sums herein appropriated for the specific purposes under the several items herein are the maximum amounts which shall be expended for the respective purposes and no warrant or warrants shall be issued in excess of such amounts, nor shall any indebtedness be incurred which in the aggregate exceeds the amounts provided for each item, and the Treasurer of Orangeburg County is prohibited from paying any warrants which exceed the said sums; *Provided, Further,* That no money shall be spent otherwise than is specifically authorized by this Act, or the Legislative Delegation as provided herein and all unexpended balances not otherwise directed in this Act shall be carried over to ordinary County Funds.

§ 5. The sums hereinabove appropriated shall only be used, if so much be necessary, and when not otherwise provided, salaries and expenses, where combined in the same item, shall be paid monthly without requiring expenses to be itemized: *Provided,* That where expenses are provided as a separate item they shall not be paid except upon sworn, itemized statements of the same.

§ 6. All sums received by the County Treasurer from the officers formerly receiving fees in Orangeburg County shall be credited to the General County Fund and the Treasurer shall keep a separate record of the monthly remittance from each such officer: *Provided,* That whenever any fee is due to any County Officer by reason of work or service done for the County and where the fees required by law to be paid would have to be paid by the County, the various county officers heretofore entitled to charge fees are instructed and authorized to perform said services or do said work without requiring the payment of such fees: *Provided, However,* Each such officer shall make a record of such work or service performed for the benefit of the County and file a statement of the same with the County Treasurer in making their monthly statement.

§ 7. Where any officer required by law to pay into the County Treasurer the fees and commissions received by him in his official capacity shall fail to do so the amount of salary appropriated for the said officer, together with provisions for salary of office help, and any other funds provided for in this Act for such officer or the operation of his office shall be withheld by the Orangeburg County Highway Commission until such time as the said officer shall com-

ply with the law and pay such income from his office into the County Treasury.

§ 8. Wherever reference is made in this Act to any action of or by the Legislative Delegation the same means the joint approval, agreement, or order of the Senator and a majority of the Representatives of Orangeburg County in the General Assembly.

§ 9. At the end of the fiscal year ending June 30, 1937, the unexpended balance of Item 171 as provided for in an authorization of the delegation dated July 10, 1935, which provided Three Thousand (\$3,000.00) Dollars for fees and expenses in connection with litigation of the County Treasurer and Sheriff, shall not revert to the general fund, but shall be carried over into the new fiscal year, and the contracts made by the Legislative Delegation with Adam H. Moss, Clint T. Graydon and Taylor H. Stukes, attorneys, to represent the County in such litigation are hereby ratified and confirmed, any provision of previous law to the contrary notwithstanding.

§ 10. The proceeds of the property tax levy provided for in Section 1, all collections of back taxes for ordinary county purposes, all indirect revenue received by the county, except such of the foregoing as have been or shall be pledged for specific purposes according to law, all unexpended funds in the general or ordinary fund in the hands of the county treasurer on July 1, 1937, and all other funds in the county treasury which have not been designated by law for specific purposes, shall be held only to meet the appropriations made herein or subsequently under authority herein provided, and shall not be paid out or taken out of the county treasury for any other purpose. Any violation is hereby made a misdemeanor and the bond or bonds of any official violating this section shall be liable for any unauthorized expenditure or use of the funds above described and, in addition, such official shall be liable, upon conviction of violating this section, to a fine of not less than \$500.00 or more than \$5,000.00 and imprisonment of not less than one nor more than five years for each such offense.

§ 11. Upon the creation and organization of the Orangeburg County Department of Public Welfare, the Legislative Delegation may transfer to it all activities relating to the care of the needy and of a charitable nature, and otherwise, and upon such notification to the County Highway Commission the funds appropriated for the

various items designated by the Delegation shall be controlled and expended by such Department as the Delegation may direct.

§ 12. The County Highway Commission may, with the approval of the Legislative Delegation, use funds from the county general, or ordinary fund, for the payment of the County's portion of the expenses in the construction of the Orangeburg-Norway road and in the construction of certain concrete bridges and culverts in Orangeburg County, two W. P. A. projects now being carried on in Orangeburg County, or shall have the authority to borrow money, with the approval of the Legislative Delegation, for said purposes; the aggregate county expenditures not to exceed \$40,000.00 for the Road project and \$35,000.00 for the Bridge and Culvert project; the County Auditor is hereby directed to levy such taxes, with the approval of the Delegation, as are necessary to pay such expenditures or loans in such time as the Delegation shall direct.

§ 13. In case a suit or legal proceeding is instituted against Orangeburg County, or any official, which affects the public interests, in the judgment of the Legislative Delegation, the said Delegation shall have the power to employ attorneys to represent the County, and such attorneys shall thereafter constitute the County's legal representatives for such purpose only.

§ 14. The Orangeburg County Agricultural Board, as provided for in Section 10, of the County Supply Bill passed in 1936, being Act No. 1270 of the Acts of the General Assembly for 1936, is hereby continued in office for the purposes therein stated.

§ 15. Any school district levy for operating public schools shall be subject to decrease by the Legislative Delegation if it finds that any such district, by reason of receiving additional funds from the State, or otherwise, may be properly operated on a smaller levy, to the end that the property tax burden may be reduced as far as possible; it is hereby made the duty of the various school trustees and the County Superintendent of Education to furnish each member of the Delegation with a complete financial statement of each district, showing cash on hand and estimating what will be available from all sources for the next school year, the proposed expenditures for the coming year, a statement of income and expenditures for the past school year, and such other data as may be pertinent; all of which information shall be supplied to the Delegation thirty(30) days before the County Auditor makes up his tax levy, with the recommendation of the County Superintendent as to what levy will

be necessary in each school district for operating purposes. The County Auditor is hereby required and directed to make such decreases in the operating levies for the respective school districts as the Delegation may direct.

§ 16. If any word, phrase, part or section of this Act is held unconstitutional, the remaining portions shall continue in full force and effect.

§ 17. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 18. This Act shall take effect upon its approval by the Governor.

Approved the 20th day of May, 1937.

(292)

No. 586.

AN ACT to Order an Election to Decide Whether Orangeburg County Shall Contribute to the Tri-County Hospital Now Under Construction in the City of Orangeburg, for its Equipment and Other Necessary Purposes, and Upon a Favorable Vote to Provide for Officers Designated to Borrow Funds for Such Purposes and to Provide for a Tax Levy to Repay the Same.

Section 1. Election decide whether Orangeburg County contribute to tri-county hospital—balance of act effective if election favorable.—Be it enacted by the General Assembly of the State of South Carolina: That a general election shall be held in the County of Orangeburg on the third Tuesday in April, 1937, upon the question whether the County of Orangeburg shall contribute funds to pay for equipment and furnishings of the Tri-County Hospital, now under construction in the City of Orangeburg, and to provide a nurses' home, with necessary furnishings, for the use of the said hospital, and to pay other necessary expenses for and in connection with the said hospital. That the said election shall be conducted by the Orangeburg County Highway Commission, giving ten days notice thereof, who shall appoint the managers for such election and shall canvass the returns, and the necessary expense for said election shall be paid as a claim against the County of Orangeburg. That the question submitted to the qualified electors shall be in the following form: "Shall Orangeburg County contribute funds for equipment of the Tri-County Hospital, now under construction in

the City of Orangeburg, and to provide and furnish a nurses' home therefor, and for other necessary expenses and purposes in connection therewith? Those voting in favor of the proposition shall deposit a ballot with the word 'Yes' thereon; those voting against the proposition shall deposit a ballot with the word 'No' thereon". In the event that a majority of the qualified electors voting at said election shall vote "yes" upon such question, then the following provisions of this Act shall become immediately effective, but not otherwise.

§ 2. **Borrow—issue obligations.**—That the Orangeburg County Highway Commission, be, and it is hereby authorized, empowered and directed to borrow the amount of Sixty Thousand (\$60,000.00) Dollars upon pledge of the good faith and credit of Orangeburg County and its good name for the payment thereof, and such sum may be borrowed from any bank or banks, individuals or institutions upon the best interest rate and terms available but not to exceed the rate of five per cent per annum. That bonds may be issued for all or a part of the sum borrowed, and a note or notes executed and delivered for the remainder; or the entire amount may be borrowed upon a note or notes. Whether bonds are issued for the amount borrowed, or any part thereof, or a note or notes for the entire amount, or a part thereof, the interest thereon shall be payable semi-annually; and the obligations, in whatever form they may be, shall have such maturities as will result in the retirement of Four Thousand (\$4,000.00) Dollars during the years 1938, 1939, and 1940, Five Thousand (\$5,000.00) Dollars during the years 1941, 1942, 1943, 1944, 1945, and 1946, and Six Thousand (\$6,000.00) Dollars during the years 1947, 1948, and 1949, so that the entire amount of this indebtedness will be liquidated within the said twelve (12) years. The said Orangeburg County Highway Commission shall give due notice by advertisement for three (3) weeks of the sale of the said obligations of Orangeburg County by advertisement in such publications as the said Highway Commission shall consider advisable, and the said obligation or obligations shall be sold to the most favorable bidder therefor at not less than par and accrued interest from the date of the said obligations. That the said bonds or note or notes shall be signed by the members of the Orangeburg County Highway Commission, or a majority thereof, attested by its Secretary and the corporate seal of the County affixed, and shall be countersigned by the Treasurer of Orangeburg County.

In the event bonds are issued in whole or in part they shall be signed as above indicated and coupons attached to represent the interest thereon; and in the event a note or notes shall be given for the sum authorized in whole or in part, they may be issued payable as provided herein. That the said bonds and notes, or bonds or notes, issued under authority of this Act shall be of such denomination or denominations as the Orangeburg County Highway Commission may determine.

§ 3. Use funds for construction, equipment, furnishings, supplies, etc.—That the proceeds from the loan authorized by this Act shall be paid over to the County Treasurer who shall keep such amount in a separate fund from which he shall pay orders or drafts issued by the Orangeburg County Highway Commission for payment of claim or claims filed and approved by it for the purposes of paying for furnishings and equipment of the Tri-County Hospital, now under construction in the City of Orangeburg, for any additions and improvements to the said Hospital property, for providing, furnishing and constructing a nurses' home for its use, and for supplies for the use and benefit of said hospital and in keeping with the purposes for which it is now being constructed. That all claims so filed for the approval of the Orangeburg County Highway Commission shall first be approved by vote of the Board of Trustees of the said Tri-County hospital and so certified by the Chairman and Secretary of the said Board of Trustees.

§ 4. Additional trustees for hospital.—That the members of the Board of Trustees of the said hospital as now fixed by law, ordinance or otherwise shall be increased by an addition of three members, who shall be residents of the County of Orangeburg, and who shall be selected by the Orangeburg County Legislative Delegation, and whose term of office shall be for six years and until their successors are similarly elected and shall qualify. Any vacancy among this number by reason of death, resignation, removal from the County or otherwise shall likewise be filled for the unexpired term only by the Orangeburg County Legislative Delegation then in office. At the expiration of the term of office of the Commissioners selected by the Orangeburg County Legislative Delegation as provided in this Act, their successors for a similar term shall be selected by the Legislative Delegation then in office so that there shall always be three members of the said Board of Trustees to be selected by the Orangeburg County Legislative Delegation representing the

County of Orangeburg on the said Board. The Trustees selected under this Section shall have all of the same rights as members of the Hospital Board of Trustees as the other Commissioners otherwise selected, with the right to vote on all questions and participate in all of its deliberations.

§ 5. Payment of obligations.—That the County Auditor of Orangeburg County be, and he is hereby, authorized and directed to levy one mill annually upon all of the property in the County of Orangeburg to provide for the payment of the amount borrowed under authority of this Act, together with the interest thereon, and it shall be the duty of the County Treasurer of Orangeburg County to collect the tax so levied, as other taxes are now collected by law, and from the proceeds of such tax so collected he shall pay the interest semi-annually on the amount borrowed under authority of this Act, and also retire a part of the principal during each year.

If the said levy of one (1) mill shall not raise sufficient funds for the purposes herein the said County Auditor is hereby authorized to increase the levy sufficiently to provide for the payment of the interest and principal provided herein. In the event that a surplus of more than One Thousand (\$1,000.00) Dollars shall remain in the hands of the County Treasurer for this fund after payment of interest and principal in any year the said Treasurer is hereby authorized to use such excess to purchase and retire any part of the principal not yet due provided the purchase of the same shall be approved by the Orangeburg County Highway Commission as being advantageous to the said County.

§ 6. Provisions agreed to on acceptance and use of contributions.—If the voters of Orangeburg County shall approve the contribution of the said Sixty Thousand (\$60,000.00) Dollars to the said Tri-County or Orangeburg Municipal Hospital and the same shall be accepted and used by the said institution such acceptance and use shall be deemed agreement to the following provisions: First, that the said contribution is made with the understanding that the said Hospital shall remain an eleemosynary institution and that no part of its income shall be used for any purpose except for the use and benefit of the said institution as a non-profitable hospital for the benefit of the sick and diseased; second, that in the event the holder or holders of any lien on the said Hospital property should ever endanger the continued public ownership of this institution by seeking to collect any debt due by the said institution so that its

public ownership might be endangered, or, third, if any changes be made in the present ownership of the said Hospital without the approval of the Senator and a majority of the members of the House of Representatives from Orangeburg County at such time, then in event of any violation of the first provision above or of the happening of either of the second or third contingencies above then the said sum of Sixty Thousand (\$60,000.00) Dollars contributed to the said Hospital by the said County of Orangeburg shall be repaid to the said County but without interest for its use and a lien is hereby created on the property of the said institution therefor in favor of the said County of Orangeburg, subsequent to any liens existing at the present time; provided, however, that the priority of this special lien for the benefit of Orangeburg County in the event of the contingencies mentioned above may be waived by the Senator and a majority of the members of the House of Representatives from Orangeburg County for the purpose of allowing the said institution to borrow any other necessary funds for its further development, enlargement, equipment and necessary operating expenses so long as the said institution retains its character as a publicly-owned Hospital operated on a non-profitable basis.

§ 7. That this Act shall become immediately effective upon its approval by the Governor; and all Acts or parts of Acts in conflict herewith be, and they are hereby, repealed.

Approved the 9th day of April, 1937:

(451)

No. 587.

AN ACT to Extend the Term of Office of the Present Commissioners of Orangeburg County to July 1st of the Last Year of Their Term of Office.

Section 1. Time terms of commissioners end, Orangeburg County.—Be it enacted by the General Assembly of the State of South Carolina: The terms of office of the Commissioners of Orangeburg County are extended to and shall terminate on July 1st of the last year of their present term of office.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of April, 1937.

(408)

No. 588.

AN ACT to Authorize and Empower the Trustees of Holly Hill School District No. 8, Orangeburg County, to Borrow the Sum of Eight Thousand (\$8,000.00) Dollars, and to Validate the Whole, or Any Portion, of Such Amount as May Have Been Obtained Pursuant to Previous Legislative Authority.

Section 1. Holly Hill School District No. 8 borrow, Orangeburg County—funds borrowed validated.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Holly Hill School District No. 8, Orangeburg County, are hereby authorized and empowered to borrow not exceeding Eight Thousand (\$8,000.00) Dollars for the District, to be used for any lawful purpose. If all, or any portion, of this amount has heretofore been borrowed, pursuant to the terms of an Act entitled "An Act to Authorize and Empower the Trustees of Holly Hill School District No. 8, and the County Treasurer of Orangeburg County to borrow", etc., approved April 23, 1936, and designated as Act No. 1272 of the Acts of that year, and the Act amendatory thereof, which is entitled "An Act to amend an Act entitled 'An Act to Authorize and Empower the Holly Hill School District No. 8'", etc., approved May 30, 1936, and designated as Act No. 1273 of the Acts for that year, the loan so made and the act of the Trustees in borrowing the whole, or any portion, of the said sum, are hereby validated and made legal, notwithstanding that any instrument evidencing any such indebtedness may not have been executed with the formalities required by the original act and the act amending the same, and notwithstanding that any sum so borrowed may have been obtained from any party other than the Sinking Fund Commission. Any sums borrowed under this Act shall be evidenced by a note or notes of the said School District, executed by the members of the Board of Trustees of said District, and shall bear interest at a rate not exceeding six (6%) per centum per annum, and shall have such maturities as may be determined by the Board, and may be renewed in whole or in part from time to time by the Board, provided that no note or renewal note shall be made to mature later than seven (7) years from the date of the approval of this Act. The loan herein authorized may be obtained from any available source by the Board, and authority and power are hereby given for the Board to obtain a loan, or loans, under the provisions of this

Act, to retire in whole, or in part, any sums heretofore borrowed under the provisions of the Acts above mentioned; *Provided, Further,* That the total sum authorized to be borrowed under the provisions of this and the aforesaid two Acts, shall not exceed Eight Thousand (\$8,000.00) Dollars.

§ 2. **Payment.**—That, in order to provide for the payment of the sums herein authorized to be obtained, as well as any loan heretofore obtained and validated under the provisions of this Act, there is hereby levied an annual tax upon all of the taxable property of the said Holly Hill School District No. 8, sufficient to retire the amount of the principal and interest maturing annually, as may be determined by the said Board. The proceeds of the levy shall be used to retire the said loan and, as soon as the sums so borrowed shall have been paid, the annual levy shall be discontinued. It is made the duty of the Auditor of Orangeburg County to levy, and the Treasurer of Orangeburg County to collect the said special taxes as other taxes are now collected by law.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 29th day of April, 1937.

(608)

No. 589.

AN ACT to Authorize and Empower the Highway Commission of Orangeburg County to Issue, in the Name of the County, Bonds or Notes for Highway and Other Public Improvement in an Amount Not Exceeding Two Hundred Thousand (\$200,000.00) Dollars, Upon Certain Conditions, and to Provide for the Payment Thereof.

Section 1. Orangeburg County issue bonds for public purposes.—Be it enacted by the General Assembly of the State of South Carolina: The Orangeburg County Highway Commission is hereby authorized and empowered to issue serial bonds or notes of Orangeburg County, for the purpose of providing funds for the construction of certain highways in the County, for the construction of bridges on certain highways and of the approaches thereto, for the purpose of constructing public buildings, and for any other lawful purpose, in an aggregate principal amount not to exceed Two Hun-

dred Thousand (\$200,000.00) Dollars. *Provided*, That the amount of any particular issue and the specific purpose or purposes for which the funds to be derived therefrom are to be used, as well as any details with respect to any such issue, not inconsistent with the provisions of this Act, shall first be authorized in writing by the Senator and at least one-half of the members of the House of Representatives from said County. Any details of sales or issue not covered by the Delegation's written authority therefor as above provided, or not specified in this Act, shall be in the discretion of the said Commission. *Provided, Further*, that no sale and issue of bonds or notes hereunder, shall be made later than December 31, 1940. The expenditure of the funds herein authorized to be obtained may be used to supplement any available funds from Federal sources, or any agencies thereof, for any of the purposes above mentioned.

§ 2. Bonds—interest—maturities—denominations—execution—sale.—Such bonds or notes shall bear interest at a rate not exceeding five (5) per centum per annum, payable semi-annually or annually and shall mature at such time or times not exceeding twenty (20) years from date of said bonds or notes, and shall be in such form and denomination, and shall be signed by such officials, as the Senator and at least one-half of the members of the House of Representatives from Orangeburg County in the General Assembly may direct in writing, and the seal of the County Highway Commission of Orangeburg County shall be affixed to or impressed upon the said bonds. The delivery of the bonds shall be valid notwithstanding any change in officials or seal occurring after the execution of the bonds. The bonds shall be sold for not less than par and accrued interest. They shall be sold upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale. The award shall be made to the highest bidder, but the County shall have the right to reject all bids and re-advertise the bonds for sale.

§ 3. Payment—tax exempt.—It is the intention of this Act that all bonds issued hereunder shall be direct and general obligations of Orangeburg County. The full faith, credit, and taxing power of Orangeburg County are hereby irrevocably pledged for the punctual payment of the principal and interest of the said bonds.

The County Auditor of Orangeburg County is authorized and directed to levy annually, and the Treasurer to collect, a tax on all of the taxable property in Orangeburg County sufficient to pay the

principal and interest, respectively, maturing on the obligations issued pursuant to this Act; and/or with the written approval of the Senator and at least one-half of the members of the House of Representatives from Orangeburg County. The Orangeburg County Highway Commission is authorized and empowered to irrevocably pledge all, or any portion, of uncollected back taxes not already pledged, and/or the indirect revenues accruing to the County from insurance license fees; from the County's share of the tax on alcoholic liquors; from the County's share of the tax on beer and wines, and the unpledged revenues from the gasoline tax; and such election may be with respect to all or any portion of the obligations issued pursuant to the provisions of this Act. In case such specific revenues are pledged for the payment of the interest and principal of the bonds issued hereunder the moneys resulting therefrom shall be applied to the payment of said interest and principal and the property tax authorized herein shall be reduced thereby. Said Bonds or notes shall be exempt from all State, County, School and Municipal taxes.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of May, 1937.

(346)

No. 590.

AN ACT to Order an Election to Decide Whether West Elizabeth School District No. 34 of Orangeburg County May Borrow Money to Provide for the Construction of Four Additional Class Rooms, Installation of Toilets, and Other Necessary Additions and Repairs, and Upon a Favorable Vote to Authorize the Borrowing of Money for Such Purpose and to Provide a Tax Levy to Repay the Same.

Section 1. Election, West Elizabeth School District No. 34, on borrowing funds improve white school plant, Orangeburg County—effect.—Be it enacted by the General Assembly of the State of South Carolina: That an election shall be held in West Elizabeth School District No. 34, Orangeburg County, upon notice of two weeks in a newspaper published in the County of Orangeburg on a day to be fixed by the Trustees of said School District, and

the said Trustees shall appoint the managers to conduct such election, which shall be held in the Town of North, in the County of Orangeburg, The expenses of such election may be paid from the ordinary school funds of said School District. All qualified electors, residing in the said School District, shall be permitted to vote at the said election. The said Trustees shall canvass the said election and file a report thereon with the County Superintendent of Education for the County of Orangeburg and also file a report thereof with the Clerk of Court for the County of Orangeburg; that the question submitted to the qualified electors in the said election shall be as follows: "Shall the Trustees of West Elizabeth School District No.34, of Orangeburg County, be authorized to borrow the sum of ten thousand (\$10,000.00) dollars for the purpose of construction of four additional class rooms, installation of toilets, and other necessary additions and repairs to white school plant of said District for the benefit of the pupils in the school of said District?" Those voting in favor of the proposal shall deposit a ballot with the word "yes" thereon; those voting against the proposal shall deposit a ballot with the word "no" thereon. In the event that a majority of the qualified electors voting in the said election shall vote "yes" upon such election, then the following provisions of this Act shall immediately become effective, but not otherwise.

§ 2. Borrow if election favorable—issue notes.—That the Board of Trustees of West Elizabeth School District No.34, of Orangeburg County, be and is, hereby authorized and empowered to borrow up to the sum of ten thousand (\$10,000.00) dollars upon pledge of the good faith and credit of said School District and of its good name for the payment thereof, and such sum may be borrowed from any bank or banks, individuals or institutions upon the best interest rate and terms obtainable, but not to exceed at any time the rate of six (6%) percent per annum. That a note or notes may be issued and delivered for the payment of the sum borrowed, and such note or notes shall be signed by the Trustees of said School District and also countersigned by the Treasurer of Orangeburg County. That the interest on the amount borrowed shall be paid annually from the proceeds of the tax levy herein provided, and the said note or notes may be issued for a term of years not exceeding ten (10) years, and may be renewed from time to time as may be necessary or desirable; and the said note or notes shall be so executed and delivered that the total amount of this indebtedness

may be paid within ten (10) years from the date of the approval of this Act.

§ 3. Orangeburg County lend certain funds to such district.—That the County Treasurer of Orangeburg County be and is hereby authorized and empowered to loan to the Trustees of West Elizabeth School District No.34, Orangeburg County, the sum of six thousand (\$6,000.00) dollars, or so much as may be available from the funds now in his hands representing the sinking fund of bonds for West Elizabeth School District No.34, which bonds mature January 1, 1941, and at such rate of interest as may be agreed upon by said trustees and County Treasurer not to exceed four (4%) percent per annum. *Provided, However,* That the proceeds from the levy herein after provided for shall be applied first to the payment of the annual interest on the said ten thousand (\$10,000.00) dollars herein authorized to be borrowed and next to the repayment of the six thousand (\$6,000.00) dollars herein authorized to be loaned by the said County Treasurer for Orangeburg County by December 31, 1940, and next to the payment of the remaining four thousand (\$4,000.00) dollars necessary to be borrowed to make a total of ten thousand (\$10,000.00) dollars.

§ 4. Deposit and disbursement of funds.—That the proceeds of the loan authorized in this Act shall be paid over to the Treasurer of Orangeburg County, who shall keep such amount in a separate fund, and from which payments shall be made as are other payments from the ordinary funds of said school District; and the Board of Trustees is hereby authorized to draw claim or claims for the payment therefrom for providing, construction of four additional class rooms, installation of toilets, and other necessary additions and repairs to be used in connection with the school of said District, and for other necessary expenses in connection therewith.

§ 5. Payment.—That the County Auditor of Orangeburg County be, and is, hereby authorized and directed to levy a tax of ten (10) mills annually upon all of the property located within the said School District and from the proceeds of such levy shall first be paid the annual interest on the ten thousand (\$10,000.00) dollars herein authorized to be borrowed, and second, an amount each year sufficient to retire the six thousand (\$6,000.00) dollars herein authorized to be loaned by the said County Treasurer by December 31, 1940, and third, to the retirement of the remaining four thousand (\$4,000.00) dollars.

§ 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 7. This Act shall take effect upon its approval by the Governor.
Approved the 17th day of April, 1937.

(580)

No. 591.

AN ACT to Define the Southern and South Western Line of Parler School District No 2, Orangeburg County, South Carolina.

Section 1. Southern and south western lines of Parler School District No. 2 defined, Orangeburg County.—Be it enacted by the General Assembly of the State of South Carolina: That the Southern and South Western line or limit of Parler School District No. 2, Orangeburg County is hereby fixed as follows: Beginning at a point where U. S. Highway No. 15 crosses the Santee River, thence along U. S. Highway No. 15 southward to Highway No. 4; thence along Highway No. 4 westward, to the present line or limit of the above School District.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 14th day of May, 1937.

(33)

No. 592.

AN ACT to Provide for the Levy of Taxes in Pickens County for County and School Purposes for the Fiscal Year Beginning January 1, 1937, and Ending December 31, 1937, and to Direct the Expenditure Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of so many mills as are necessary is hereby levied on all taxable property in Pickens County for County and School purposes for the fiscal year beginning January 1, 1937 and ending December 31, 1937, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fraction thereof, actually necessary to raise the sums herein appropriated, after deducting the expected revenues herein

stated, said millage shall be determined by Pickens County Auditor, subject to the approval of the State Senator and one member of the House of Representatives from Pickens County.

A. Roads and Bridges, etc.:

Cross Country Roads, etc.	\$ 70,000.00
New Machinery to be purchased on approval of State Senator and one member of House of Representatives from Pickens County	7,500.00

Total	\$ 77,500.00
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B. Salaries and Travel Expense:

Clerk of Court and Clerical Help	\$ 3,800.00
Supervisor's Salary	2,000.00
<i>Provided, The Supervisor is al-</i> lowed to use the gas and oil of the County for his car when at- tending to County business.	
Clerk to the Supervisor and County Commissioners	1,200.00
Two (2) County Commissioners at \$1,000.00 each	2,000.00
Superintendent of Education ...	1,800.00
Clerk hire in the Office of the Superintendent of Education ..	300.00
Coroner	300.00
County Attorney	200.00
County Physician	600.00
County Auditor	710.00
County Treasurer	710.00
County Sheriff	1,800.00
Travel expense for Sheriff \$50.00 per month	600.00
Four (4) Deputy Sheriffs at \$100.00 per month	4,800.00
Travel Expenses for four (4) Deputy Sheriffs at \$50.00 per month each	2,400.00

Two (2) County Constables for one Month	300.00	
Five (5) Mill Deputies at \$12.50 per month, to be appointed by the Sheriff	750.00	
Superintendent of County Farm \$50.00 per month and home to live in	600.00	
Probate Judge	1,650.00	
Tax Collector and Master \$150.00 per month	1,800.00	
County Health Unit as per agree- ment with Dr. Wyman	2,000.00	
County Jailor	900.00	
Cook for County Jail and Poor House	200.00	
Janitor at Court House	450.00	
Magistrates:		
Easley	1,100.00	
Pickens	850.00	
Liberty	450.00	
Central	450.00	
Six Mile	100.00	
Pumpkin Town	100.00	
Magistrates' Constables	1,400.00	
		\$ 36,320.00
C. County Boards:		
Board of Education	50.00	
Board of Equalization	100.00	
Board of Registration	300.00	
Total		\$ 450.00
D. Jurors and Witnesses	3,000.00	
Total		\$ 3,000.00
E. County Home, Poor House and Poor and Feeding Prisoners ..	2,300.00	
Total		\$ 2,300.00

F. Post Mortems, Inquests and	
Lunacy	150.00
Jurors for Coroners' Inquests ..	50.00
Total	200.00
G. Public Buildings, including lights,	
water, fuel and insurance	2,500.00
Total	\$ 2,500.00
H. Printing, Postage and Stationery \$ 1,500.00	
Total	\$ 1,500.00
I. Miscellaneous Contingent Fund .. 2,500.00	
Total	\$ 2,500.00
J. Easley National Guards	
	200.00
Six Mile Hospital	1,800.00
Direct Relief for Destitute for	
1936	\$ 2,105.00.
Direct Relief for Destitute for	
January and February 1937 ..	500.00
Total	\$ 4,605.00
K. Interest and Sinking Fund Pay-	
ment on PWA Loan for Sur-	
face Treating County Roads ..	14,840.00
Interest on Current Loan in	
Anticipation of Taxes for 1937,	
at 3%	3,000.00
Interest on old School Note	300.00
Total	\$ 18,140.00
L. Past Indebtedness from Admin-	
istration prior to 1937	3,000.00
Total	3,000.00

M. Equipment for Agricultural Board 2,100.00

Total	2,100.00
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GRAND TOTAL	\$154,115.00
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Less estimated Revenue Other
Than Taxes:

Commutation Road Tax	2,700.00
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Fines, Fees & Licenses:

From the Clerk of Court	5,000.00
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From the Magistrates	6,000.00
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From the County Supervisor	500.00
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Other Sources:

Gas Tax	30,000.00
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From the Tax Collector & Master	5,000.00
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From Insurance Licenses	2,300.00
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From the Auditor	100.00
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From the Probate Judge	600.00
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From Liquor, Wines & Beer Tax	3,600.00
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From the Agricultural Board ..	600.00
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\$ 56,400.00

Amount to be raised by Taxation	\$ 97,715.00
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§ 2. That transfers from one item to another may be made only upon the written approval of the State Senator and one member of the House of Representatives from Pickens County, and they shall have power and authority to provide for and add to the appropriations herein made, any sum sufficient to take care of any deficit which may prove to exist from the maintenance of the cost of the County Government during the years 1937 and 1938.

§ 3. The Auditor and Treasurer, with the approval of the State Senator and one member of the House of Representatives from Pickens County are hereby authorized and empowered to increase or decrease the general levy above provided to meet the appropriations made.

§ 4. That there is hereby levied upon all the taxable property of the County four and one-half ($4\frac{1}{2}$) mills to be used for the purpose of paying the expenses of the schools of the County for one additional month at the State's scale of salaries.

§ 5. That the Magistrate's Constable work shall be done by Deputy Sheriffs at Pickens. All other Magistrates' Constable work to be done by Constables to be appointed by the Magistrates in the various townships.

§ 6. That any surplus now on hand in the County Treasury shall be thrown into the Miscellaneous Contingent Fund, and shall be paid out on warrants of the County Board of Commissioners on recommendation of the State Senator and one member of the House of Representatives from Pickens County.

§ 7. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 8. This Act shall take effect upon its approval by the Governor.
Approved the 5th day of February, 1937.

(159)

No. 593.

A JOINT RESOLUTION to Exempt Certain Citizens and Farmers of Pickens County, South Carolina, Who Suffered Damage by Reason of Hail Storms in 1936 from the Payment of Taxes for Ordinary County Purposes.

Whereas, certain farmers in the County during the year 1936 had their crops seriously damaged by hail storms, *Now therefore*

Section 1. Tax relief for hail sufferers, Pickens County.—Be it resolved by the General Assembly of the State of South Carolina: That the Treasurer and Tax Collector of Pickens County be, and the same hereby authorized and directed to remit, deduct, and refund (in cases where same have been paid) the 1936 taxes for ordinary county purposes on the property of every citizen and farmer in Pickens County used in connection with the production of crops during the year whereon the crops were damaged by hail storms during the year 1936 to the extent of fifty (50%) per centum or more.

§ 2. **File affidavit—farm demonstration agent investigate.**—That the County Attorney shall prescribe a form of affidavit that shall be required of those claiming benefits under this Act, the printing of which shall be paid out of the contingent fund. Such affidavit shall be filed with the County Auditor. The County Farm Demonstration Agent is directed to make proper inquiry into the validity of each claim and to report his findings and recommendations thereon

to the Treasurer and Tax Collector, whose duty it shall be to finally determine if the taxpayer is entitled to the benefits of this Act and the amount thereof.

§ 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 4. This Resolution shall take effect upon its approval by the Governor.

Approved the 11th day of March, 1937.

(35)

No. 594.

AN ACT to Validate Loan of Fifteen Hundred (\$1500.00) Dollars Made to Central School District No. 9, Pickens County, by the Sinking Fund Commission of South Carolina, and to Fix a Tax Levy to Provide for the Payment Thereof.

Section 1. Loan to Central School District No. 9, Pickens County, validated.—Be it enacted by the General Assembly of the State of South Carolina: That a loan of Fifteen Hundred (\$1,500.-00) Dollars made to Central School District No. 9, Pickens County, by the Sinking Fund Commission of South Carolina on note executed by the County Treasurer and members of the Board of Trustees of the said School District, bearing date of October 30, 1936, be, and the same is hereby validated and declared to be legal in all respects as an obligation of the said Central School District No. 9, Pickens County.

§ 2. **Payment.**—That in order to provide for the payment of the said note there is hereby levied a sufficient tax upon all taxable property of the said Central School District No. 9, Pickens County, to retire the loan plus interest at six per cent (6%) within a period of five (5) years. The entire proceeds of this tax shall be paid over annually to the Sinking Fund Commission by the County Treasurer to be applied on the principal and interest of the note given to secure the loan until the said loan is paid in full, at which time the tax shall no longer be levied. It shall be the duty of the Auditor of Pickens County to levy the said tax and the duty of the County Treasurer of the said County to collect the tax so levied as other taxes are collected by law.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5th day of February, 1937.

(24)

No. 595.

AN ACT to Authorize the Issuance and Sale of Serial Bonds Not to Exceed Aggregate Amount of Eight Thousand (\$80,000.00) Dollars in the Name of Pickens County by the Board of County Commissioners of Said County, to Provide for the Payment of Said Bonds and to Provide for the Disposition of Proceeds from the Sale of Same.

Section 1. Pickens County issue bonds—use of proceeds.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of County Commissioners of Pickens County be, and it is hereby, authorized and empowered to issue serial bonds of Pickens County in the aggregate amount of not exceeding Eighty Thousand (\$80,000.00) Dollars, payable to bearer. That the proceeds from the sale of said Bonds shall be used by the said Board of Finance as follows: So much of the proceeds from such sale as is necessary but not to exceed Forty Thousand (\$40,000.00) Dollars to be used in supplementing funds in the sinking fund of said county for the purpose of paying road bonds of said County issued in 1917. That the balance of the proceeds from the sale of said Bonds, or so much thereof as may be necessary, be used in the payment of the Forty Thousand (\$40,000.00) Dollar note of said County which is generally known as the Old School Debt Note. That any balance from the proceeds of sale of said Bonds, after payment of the costs of issuing same, shall be placed in ordinary County funds.

§ 2. Denominations—interest—maturities—execution.— That the bonds herein authorized to be issued shall be of such denomination or denominations as said Board deems advisable, and shall bear interest at a rate not to exceed Four per (4%) centum per annum, payable annually, and shall mature as follows: Four Thousand (\$4,000.00) Dollars at such time during the year 1938 as the said Board may deem advisable, and a like amount of Four Thousand (\$4,000.00) Dollars to mature on the same date of each and every year thereafter until the entire debt herein authorizd to be incurred shall have been paid. That the said Bonds herein authorized to be issued shall be

signed in the name of Pickens County by the Supervisor and Treasurer of said County; any coupons on said Bonds need not be authenticated other than by the facsimile signature of the Treasurer of said County printed or engraved thereon.

§ 3. **Sale.**—That the Bonds herein authorized to be issued shall be sold by the said Board of County Commissioners of said County at public sale at such time and place and after such advertisement as the said Board in its discretion may deem advisable.

§ 4. **Pledge for payment.**—The full faith, credit and taxing power of Pickens County are hereby irrevocable pledged for the payment of the principal and interest of the Bonds herein authorized to be issued as same become due.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.
Approved the 5th day of February, 1937.

(642)

No. 596.

AN ACT to Provide for a Levy of Taxes for Richland County for School and County Purposes for the Year 1937 and to Direct the Expenditures Thereof.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That there is hereby levied a tax of five and one-half ($5\frac{1}{2}$) mills, if so much be necessary, on all taxable property in Richland County for ordinary county purposes, which together with all further sums available for ordinary purposes, shall be used for the payment of the items hereinafter set forth; *Provided*, That all salaries herein appropriated shall be paid in equal monthly installments, and the total of such items other than salaries shall be expended only if such be necessary: *Provided, however*, That implements and supplies of whatever kind to be purchased under the terms of this Act shall be purchased only upon competitive bids each month after advertisement for at least one week previous to the letting of such contract in at least two issues of a newspaper published in Columbia, which advertisement shall set forth the articles and the approximate amount and number thereof to be purchased, and the said contract of purchase shall be awarded to the lowest responsible bidder for the period of one month: *Provided*,

That in case proper competitive bids, after due advertisement are received by the Supervisor of Richland County and goods are not purchased from the lowest bidder at said competitive bids, the Supervisor shall be liable for malfeasance in office and subject to the penalties now provided by law: *Provided, further,* That in case of emergency the Supervisor may purchase without competitive bids where the cost thereof does not exceed two hundred (\$200.00) dollars. *Provided, further,* That no bill, account or claim against the County shall be paid unless contracted for by such competition or purchased by the Supervisor in the above mentioned cases of emergency and unless the claim be filed for audit within thirty days from the furnishing of the supplies, or in all cases within thirty days from the time a cause of action arises. *Provided, further,* That no official or Board shall in any way create a debt or overdraw by warrant or otherwise the specific appropriation made for their specific office or department. It shall be a criminal offense, for any official or board to overdraw their appropriation, knowing in advance that such has been used.

Item 1. Administrative Department:

(A) Auditor's Office:

Salary of County Auditor	\$ 1,818.48
Salary of Deputy Auditor	2,000.00
Salary of Chief Clerk	1,435.00
Extra Clerk Hire, two clerks part time, if such be necessary	1,200.00
Board of Assessors and Equaliza- tion	1,000.00
	\$ 7,453.48

(B) Treasurer's Office:

Salary of Treasurer	\$ 1,818.48
Salary of Chief Clerk	2,000.00
Salary of Deputy Clerk	1,435.00
Salary of Fee Clerk	1,435.00
	\$ 6,688.48

Provided, That Richland County shall pay to the Auditor and Treasurer only such part of

salary as shall remain unpaid after applying State aid, so that the total salary received by the Auditor and Treasurer shall be \$3,937.50 and no more.

(C) Clerk of Court's Office:

Salary of Clerk of Court	\$ 3,937.50
Salary of Deputy Clerk	2,000.00
Salary of Court Deputy	2,000.00
Salary of Chief Clerk	1,435.00
Salary of Assistant Clerk	1,315.00
Salary of Assistant Clerk from May 1, 1937	800.00

\$ 11,487.50

(D) Board of Education:

Salary of Superintendent of Education	\$ 3,937.50
Salary of Clerk and Stenographer.	1,435.00

County Board Meetings, seven (7) members, per diem and mileage, 12 regular meetings and allowance for extra meet- ings	\$ 490.00
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5,862.50

(E) Supervisor's Office:

Salary of Supervisor	\$ 3,937.50
Salary of Clerk of Board	2,400.00
Salaries of Commissioners, seven (7) at \$65.00 per month each ..	5,460.00
For advertising, if so much be nec- essary	300.00
Stamps for all County Officers, if so much be necessary	1,000.00
<i>Provided, That \$500.00 of the above amount, if so much be necessary, shall be used by the</i>	

County Treasurer for the purpose of sending out tax notices.	
Stationery and Supplies for all County offices	3,500.00
Interest on Notes	1,000.00
Officers Bonds	925.00
County Attorney	1,800.00
Auditing County Books, 1937 ..	900.00

\$ 21,222.50

(F) Tax Collector's Office:

Salary of Tax Collector	\$ 2,400.00
Salary of Assistant Tax Collector	1,700.00
Traveling Expenses Assistant Tax Collector	300.00
Deputy Assistant Tax Collector from April 1, 1937	900.00
Traveling Expenses, Deputy Assistant Tax Collector nine (9) months	225.00
Clerk	1,315.00
Stenographer, part time	420.00

\$ 7,260.00

Provided, That all employees in the office of Tax Collector shall be employed by and subject to the orders of the Tax Collector

(G) Secretary to the Delegation\$ 2,000.00

\$ 2,000.00

TOTAL ITEM 1

\$ 61,974.46

Item 2. Judicial Department:

(A) Court of Common Pleas and General Sessions:

Jurors and Witnesses	\$ 13,500.00
Salary of Court Stenographer...	500.00
Salary of Solicitor, Fifth Circuit	1,200.00

Office Expenses, Circuit Judge ..	1,450.00
Typewriter, Court Stenographer .	99.00

\$ 16,749.00

Provided, That the Bailiffs and Court crier employed for the Court of Common Pleas and General Sessions shall receive three (\$3.00) dollars per day: *Provided*, That no more than five (5) Bailiffs and one (1) Court Crier to be appointed for such duties: *Provided*, That the clerk of Court shall not pay over fifteen (\$15.00) dollars per day for Bailiffs: *Provided*, That the jury boy employed by the Court of Common Pleas and General Sessions of Richland County receive two (\$2.00) dollars per day; *Provided*, That out of the fund herein appropriated for jurors and witnesses, the Clerk of Court is authorized and directed to pay for the printing of the rosters for the Common Pleas and County Court, which rosters are arranged by the County Judge and Bar Association: *Provided*, *further*, That the members of the Grand Jury shall receive a per diem of five (\$5.00) dollars, not to exceed 10 days for the year 1937. Any additional time shall be paid for at a per diem of three (\$3.00) dollars.

(B) County Court:

Salary of County Judge	\$ 5,000.00
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Salary of County Court Stenographer	2,200.00
Salary of County Court Deputy and Clerk	1,700.00
County Court Expenses	6,000.00
Rent and Janitor services at temporary location	500.00

\$ 15,400.00

Provided, That Calenders 1, 2, and 3 of the County Court shall be kept by the County Judge: *Provided, Further*, That the County Judge may employ a Bailiff when necessary at three (\$3.00) dollars per day: *Provided, Further*, That in case of illness of either the stenographer or regular bailiff, such place may be filled by appointment of the County Judge, for not more than two jury terms at a rate of pay not to exceed that of regular stenographers or bailiff; *Provided, Further*, That the jurors for the County Court and Court of Common Pleas and General Sessions shall be paid three (\$3.00) dollars per day; *Provided, However*, That where jurors in any of the Courts are excused for a full day, that jurors shall not be paid a per diem for such days, but if they should be required to return the next or subsequent days during that week, then in such event, the jurors shall receive mileage, whenever entitled to, in lieu of the regular per diem payment.

(C) Judge of Probate's Office:

Salary of Judge of Probate	\$ 3,937.50
Salary of Deputy Clerk	2,000.00
Salary of Chief Clerk	1,435.00
Salary of Assistant Clerk	1,315.00

\$ 8,687.50

(D) Master's Office:

Salary of Master	\$ 3,937.50
Salary of Stenographer, Master's office	1,435.00
Salary of Bookkeeper, Master's Office	1,315.00
Typewriters, Master's Office . .	185.00

\$ 6,872.50

Total Item 2. \$ 47,709.00

Item 3. Law Enforcement Department:

(A) Sheriff's Office:

Salary of Sheriff	\$ 3,937.50
Traveling Expenses of Sheriff..	400.00
Salary of Deputy Sheriff	2,400.00
Traveling Expenses of Deputy Sheriff	400.00
County Deputy	1,800.00
Traveling Expenses of County Deputy	480.00
County Deputy	\$ 1,800.00
Traveling Expenses of County Deputy	480.00
County Deputy eleven (11) months	1,650.00
Traveling Expenses County Deputy	440.00
Court Deputy	1,100.00
Traveling Expenses of Court Deputy	480.00
Clerk	1,435.00

Long Distance Telephone and Transportation of Prisoners..	1,000.00
Contingent Fund	200.00
Deputy Sheriff's Uniforms and Clothing	375.00
Typewriter	87.50

\$ 18,465.00

Provided, That the Contingent Fund is to be used only for renting bloodhounds and purchasing ammunition; *Provided*, That the Sheriff's Office take care of necessary processing issued by the Judge of Probate. *Provided*, That the duties of County Deputies and Deputy Sheriffs, be defined by Act of 1932; *Provided*, That the appropriation made for long distance telephone and transportation of prisoners be drawn only by proper warrant; such transportation to be used only for prisoners from beyond the borders of Richland County; *Provided*, That the County Deputies shall serve papers for Magistrates at Garners and Lykesland.

Provided, That the Court Deputy shall receive \$3.00 per day he attends court in addition to his regular salary and traveling expenses.

(B) County Jail and Jailer :

Salary of Jailer	\$ 1,785.00
Salary of Assistant Jailer	997.50
Salary of Second Assistant Jailer	808.50

Salary of Matron	577.50
Supplies and Dieting	5,000.00

\$ 9,168.50

(C) Coroner's Office:

Salary of Coroner	\$ 2,000.00
Stenographic Services	650.00
Jurors	500.00

\$ 3,150.00

Provided, That the Coroner shall call upon the County Physicians to hold post mortem examinations: *Provided, Further*, That the Coroner attest and furnish such affidavit as might be necessary to the Treasurer; *Provided, Further*, That the Coroner pay each juror one (\$1.00) dollar as a jury fee; *Provided*, Also, That the Coroner shall use his best discretion in having an inquisition taken down by a stenographer to the end that the sum of \$650.00 herein appropriated for stenographic service shall be in no event exceeded.

(D) Magistrates and Constables:

(a) Salary and expenses of Magistrate at Olympia	\$ 1,800.00
(b) Salary and expenses of Magistrate at Columbia	1,750.00
(c) Salary and expense of Magistrate at Waverly	1,750.00
(d) Salary of Magistrate at Upper Township	1,000.00
(e) Salary of Magistrate at Hopkins	600.00

(f) Salary of Magistrate at Gadsden	600.00
(g) Salary of Magistrate at Lykesland	600.00
(h) Salary of Magistrate at Garners	600.00
(i) Salary of Magistrate at Eastover	600.00
(j) Salary of Magistrate at Dutch Fork	600.00
(k) Salary of Magistrate at Killian.. ..	600.00
(l) Salary of Magistrate at Blythewood	600.00
(m) Salary of Magistrate at Pontiac.. ..	600.00
(n) Salary of Constable at Olympia.. ..	1,200.00
(o) Salary of Constable at Columbia	1,320.00
(p) Salary of Constable at Waverly.. ..	1,200.00
(q) Salary of Constable at Upper Township	700.00
(r) Salary of Constable at Eastover.. ..	1,320.00
(r-1) Travel, Eastover Constable	240.00
(s) Salary of Constable at Dutch Fork	1,320.00
(s-1) Travel, Dutch Fork Constable	240.00
(t) Salary of Constable at Blythewood	560.00
(u) Salary of Constable at Pontiac.. ..	400.00
(v) Salary of Constable, Killian District	600.00
(w) Magistrates Forms	100.00
	\$ 20,900.00
Total Item 3.	\$ 51,683.50

Provided, That the Constable at Eastover shall also serve Magistrates at Gadsden and Hopkins, and shall be deputed to preserve order in these Magisterial districts:

Item 4. Roads and Bridges:

Roads, Convicts and Bridges ..	\$100,000.00
Machinery and Equipment	8,000.00

Salary of County Engineer	2,200.00	
Traveling Expenses of County Engineer	480.00	
Engineering Equipment and Supplies	500.00	
Surveys, two Road Projects	500.00	
Compiling Engineering Plans ..	150.00	
Salary, Engineering Instrument Man, (10) months at \$140.00 per month, if so much be necessary	1,400.00	
		\$113,230.00
Total Item 4		\$113,230.00

Provided, That chaingang guards, truck drivers, tractor drivers, or other employees of the department of Roads and Bridges of Richland County, shall not be required to work in excess of fifty-five (55) hours per week except in cases of emergencies due to washouts or other acts beyond the control of man; *Provided, Further*, That when such extra work is required of said employees they shall receive, at the convenience of the supervisor, a like amount of time off with pay. *Provided*, That the County Engineer shall work under the direction of the Supervisor.

Item 5. Public Health and Welfare:

(A) Hospitalization:

Provided, That the Auditor of Richland County is hereby instructed to levy one and three

quarter (1 3/4) mills on all taxable property in Richland County and the County Treasurer to turn over to the Columbia Hospital for charity purposes one and three-quarter (1 3/4) mills to be used, if so much be necessary, by the Columbia Hospital of Richland County for the treatment of charity patients both white and colored: *Provided*, That said hospital shall cooperate with the State Board of Health and work in conjunction with the County Doctors: *Provided, Further*, That the Trustees of the Columbia Hospital are directed to furnish suitable quarters for Richland County Health Unit.

Good Samaritan Hospital for charity work in Richland County\$ 2,000.00

Waverly Hospital for charity work in Richland County 2,000.00

Richland County Anti-Tuberculosis Association 11,000.00

Provided, That this money be spent for charity patients from Richland County.

Columbia-Richland Venereal Clinic 2,400.00

Children's Clinic according to Act of 1915. 2,000.00

\$ 19,400.00

(B) Vital Statistics 850.00

850.00

(C) County Health Unit:

Director	\$ 600.00
Traveling Expenses of Director ..	600.00
Salary of Nurse	1,320.00
Traveling Expenses of Nurse ..	380.00
Salary of Nurse	1,320.00
Traveling Expenses of Nurse ..	380.00
Clerk and Stenographer	900.00
Toxoid and Contingent	500.00

\$ 6,000.00

Provided, That the balance of the salary of the Director be paid from other sources than Richland County.

(D) Dental Clinic:

Salary of Dentist	\$ 2,700.00
Traveling Expenses of Dentist..	300.00
Salary of Hygienist	1,320.00
Traveling Expenses of Hygienist ..	300.00
Salary of Negro Dentist	1,320.00
Traveling Expenses of Negro Dentist	300.00
Dental Supplies	600.00

\$ 6,840.00

Provided, That the Dental Clinic shall be under the control of the County Dentist: *Provided, Further*, That all schools of City and County shall be served by the Dental Clinic.

(E) Salary of Two County Physicians\$ 1,680.00

\$ 1,680.00

(F) Carolina Orphan Home\$ 4,800.00

Provided, That not less than forty (40) children shall be provided for by this organization.

Door of Hope	800.00
Columbia Institute for the Blind	1,000.00
Associated Charities	5,000.00

Provided, That all cases of outside poor shall be referred to the Associated Charities.

Traveler's Aid	\$ 250.00
Pensions for Ex-Confederate Soldiers	1,200.00

\$ 13,050.00

Provided, That the amount herein appropriated for aged Confederate soldiers shall be divided equally: *Provided, Further*, That they shall receive not more than \$200.00 each.

(G) Alms House:

Salary of Superintendent and Matron of Alms House	\$ 1,200.00
Supplies and Maintenance of Alms House	12,000.00

\$ 13,200.00

(H) County Service Officer:

Salary of County Service Officer	\$ 2,000.00
Salary of Stenographer	600.00
Supplies and Expenses	360.00
Furniture and Fixtures	159.50
Typewriter	89.00

\$ 3,208.50

Total Item 5 \$ 64,228.50

Item 6. Farm and Forestry:

(A) Forest Protective Commission...	\$ 5,000.00
(B) Farm Demonstration Agent	500.00
(C) 4-H Club Work	\$ 50.00
(D) Home Demonstration Agent....	530.00

(E) Short Course for Girls and Women	50.00	
(F) Colored Farm Demonstration Agent	600.00	
(G) Part time Stenographer for Colored Farm Demonstration Agent	150.00	
(H) Negro Boys and Girls Short Course Training Camp	50.00	
(I) Colored Home Demonstration Agent	420.00	
(J) Surveys, Rural Electrification lines, if so much be necessary..	1,000.00	
		\$ 8,350.00
Total Item 6		\$ 8,350.00

Item 7. Court House:

(A) Court House Bonds	\$ 10,000.00
(B) Supplies and Expenditures	800.00
(C) Lights and Fuel	2,500.00
(D) Telephones	1,020.00
(E) Insurance, Burglary and Theft..	500.00
(F) Salary of Porter	796.00
(G) Salary of Janitor	796.00
(H) Salary of Janitor	796.00
(I) Elevator Operator, eight months \$70.00 per month	560.00
(J) Engineer, Auditorium two months	150.00
(K) Engineer, Courthouse ten months	1,500.00
(L) Two night watchmen for the Auditorium, at \$2.50 per day each for two months	300.00
(M) One night watchman for the Courthouse for ten months ..	\$ 900.00
(N) Maid service at Court house for women's rest room	500.00

(O) Furniture and fixtures, if so much be necessary	9,150.00	
		\$ 30,268.00
Total Item 7		\$ 30,268.00

Item 8. Miscellaneous Contingent:

(A) Election Expenses, if so much be necessary	\$ 500.00	
(B) Dinner for Confederate Vet- erans, wives and widows	25.00	
(C) Board of Registration	270.00	
<i>Provided</i> , That the Board of Reg- istration for Richland County shall receive the sum of \$90.00 each per annum in addition to the salary now received from the State.		
(D) Military Organizations for Rich- land County authorized by the Adjutant General	850.00	
<i>Provided</i> , That the sum appro- priated for Military Organiza- tions in Richland County shall be apportioned as directed by the Richland County Delega- tion in writing.		
(F) Contingent Fund	8,000.00	
<i>Provided</i> , That no part of this appropriation shall be expended except when authorized by a majority of the Richland coun- ty Legislative Delegation.		
(F) Rent, W. P. A. sewing rooms through June 30, 1937	300.00	
(G) Payment on \$25,000.00 note for surface treating of roads in 1936	8,000.00	

(H) Findings, W. P. A. Sewing Rooms	3,903.50
(I) Telephones, W. P. A. Sewing Rooms	96.00
(J) Rent, W. P. A. Headquarters \$360.00 per month through June 30, 1937	2,160.00
(K) Rent, W. P. A. Warehouse	600.00
(L) Banquet for General Assembly..	350.00
(M) Community Advertising	200.00
(N) National Re-employment Service for Supplies	420.00
(O) There is hereby appropriated, if so much be necessary, for the payment of salaries to county officers as provided in Section 3 of this Bill the sum of	4,500.00
(P) Free Textbooks, if so much be necessary	15,000.00

Provided, The Trustees of School District No. 1 and the Richland County Board of Education, are authorized and directed to furnish textbooks free to all students in the schools of Columbia School District No. 1, and the County Schools. All financial arrangements and plans are to be subject to the approval of the Senator and at least one-half of the members of the House Delegation of Richland County.

		\$ 45,174.50
Total Item 8		\$ 45,174.50
Grand Total		\$422,617.96

Item 9. Educational Division:

There is hereby levied on all taxable property in Richland County a tax of one (1) mill for past indebtedness of schools, the proceeds from which shall be used for the purpose of retiring the principal of the present indebtedness of School District No. 1, Richland County, and indebtedness of all other school districts in Richland County in proportion to the indebtedness of School District No. 1 and the other school districts. There is also levied upon all taxable property in Richland County a tax of one (1) mill, of which one-half mill is to be used by the County Board of Education in its discretion for the benefit of weak schools and the remaining one-half mill to be used by the County Board of Education for the purpose of paying tuition of pupils living outside of high school districts and attending said accredited high schools; and the remaining portion of said one-half mill, if any, is to be used by the County Board of Education to pay such other items as may become necessary for payment by the County Board of Education, such as interest on note of past indebtedness, etc.

There is hereby levied on all taxable property in School District No. 1, Hyatt Park No. 2-A, Edgewood No. 3, which now constitutes School District No. 1, seventeen and one-half ($17\frac{1}{2}$) mills tax for school purposes and a tax of six (6) mills to retire school bonds and for interest thereon. There is, levied upon all taxable property in the following school districts, respectively, the taxes now authorized by law, to wit: In school District No. 2-B, Hyatt Park, a tax of fifteen (15) mills for local school purposes; In School District no. 17, Park, a tax of seventeen (17) mills for local school purposes, a tax of seven (7) mills for bonds and for interest thereon, and a tax of six (6) mills for school loan from Sinking Fund Commission and for interest thereon; In School District No. 23, Blythe-wood, a tax of twelve (12) mills for local school purposes, and a tax of eight (8) mills for retiring bonds and for interest thereon; and a tax of one and one-half ($1\frac{1}{2}$) mills for high school building; in School District No. 21-A, Fair Lawn, a tax of eleven (11) mills for local school purposes; In School District No. 21-B, Level, a tax of eleven (11) mills for local school purposes, and a tax of one and one-half ($1\frac{1}{2}$) mills for high school building; In School District No. 4, Olympia, a tax of thirteen and one-half ($13\frac{1}{2}$) mills for local school purposes and a tax of four and one-half ($4\frac{1}{2}$) mills for retiring school bonds and for interest thereon; In School District

No. 24, Holly Grove, a tax of ten (10) mills for local school purposes, and a tax of one and one-half ($1\frac{1}{2}$) mills for high school building; In School District No. 32, Spring Hill, a tax of ten (10) mills for local school purposes; In School District No. 7, Horrell Hill, a tax of eight (8) mills for local school purposes and a tax of three and one-half ($3\frac{1}{2}$) mills for retiring school bonds and for interest thereon; In School District No. 16, Messers, a tax of eight (8) mills for local school purposes; In School District Nos. 9 and 10, Kingville and Eastover, a tax of eight (8) mills for local school purposes; In School District No. 15, Mt. Pleasant, a Tax of eight (8) mills for local school purposes; In School District No. 19, Pontiac, a tax of eight (8) mills for local school purposes; In School District No. 20, Killian, a tax of seven (7) mills for local school purposes, and a tax of one and one-half ($1\frac{1}{2}$) mills for high school building; In School District No. 8-A, Bellwood, a tax of six (6) mills for local school purposes and five (5) mills for retiring school bonds and for interest thereon; In School District No. 8-B, Gadsden, a tax of six (6) mills for local school purposes; In School District No. 5, Lykesland, a tax of five (5) mills for local school purposes and a tax of three and one-half ($3\frac{1}{2}$) mills for retiring school bonds, and for interest thereon, and a tax of two (2) mills for loan from Sinking Fund Commission and for interest thereon; In School District No. 6, Hopkins, a tax of five (5) mills for local school purposes and a tax of three and one-half ($3\frac{1}{2}$) mills for loan for school building and for interest thereon; In School District No. 27, St. Andrews, a tax of four (4) mills for local school purposes and a tax of one-half ($\frac{1}{2}$) mill for retiring school bonds and for interest thereon; In School District No. 14, Union, a tax of eight (8) mills for local school purposes; in School District No. 11, Garners Ferry, No. 12-A, Shady Grove, No. 12-B, Leesburg, No. 13, Browns Chapel, No. 22, Bellview, No. 25, Camp Ground, No. 26, Wayside, No. 28, Ballentine, No. 29, Piedmont, No. 30, Folk, No. 31, White Rock, No. 33, Summerville, each a tax of four (4) mills for local school purposes. All of which levies have been heretofore authorized by election held pursuant to existing laws.

§ 2. *Provided*, That the Trustees of School District No. 1, are authorized at such time as funds are available in said School District to retire teachers who have attained the age of 65. *Provided, Further*, That said Board of Trustees may institute a retirement plan for teachers, who may, in the future reach the age of 65, provided

that the contribution of the Board of Trustees shall not exceed that made by the teachers: *Provided, Also*, That the retirement income shall not exceed one-half ($1/2$) of the teacher's salary for the previous year: *Provided, Further*, That the said Board of Trustees are also authorized to retire in the same manner, any teacher who has served in such capacity for a period of twenty (20) years and who may become disabled and incapacitated for regular work, as long as he or she is so disabled.

§ 3. *Provided*, That the salaries herein appropriated for the Auditor, Treasurer, Clerk of Court, Superintendent of Education, Supervisor, Judge of Probate, Master and Sheriff shall be increased to the sum of \$4,500.00) in consideration of and to take effect upon the said county officers above mentioned releasing unto Richland County by proper release any and all claims to back salaries, fees, or other compensation that may exist against the County of Richland. Upon the execution of said releases by said officers aforesaid, the increases herein provided shall be available.

§ 4. All of the County Officers of Richland County may close their offices on Saturday of each week at 1 o'clock P. M. except in emergency: *Provided*, That all County Offices shall be open at 9 A. M. and close at 5:30 P. M.: *Provided, Further*, That during the months of June, July and August, the offices shall be required to remain open only from 8 A. M. to 4:30 P. M. and on Saturdays from 8 A. M. to 12 Noon.

That the Board of Trustees of School District No. 1 file a copy of the annual audit of this School District in the office of the Clerk of Court within ten days after the preparation thereof for the benefit of the public as other public documents are filed in this office. All charitable and other organizations which receive any part of their income from Richland County are hereby required to have an annual audit made at the end of their fiscal year and to file a copy thereof with the Richland Delegation within ten (10) days after the preparation thereof. Upon failure to file such as herein provided for, the Treasurer of Richland County is hereby directed to withhold further payments to said organizations until such audit is filed.

All appropriations herein made are subject to the right and authority of the Senator and at least one-half of the members of the House Delegation from Richland County to alter, increase or deduct therefrom at any time without notice when in their judgment such alterations, increase or deduction is necessary for the best

interest of the County, and/or to conform with the revenue expected during the life of this Act.

§ 5. All revenue accruing to Richland County from reimbursements or otherwise, in excess of, the amount necessary to pay appropriations herein made, shall be allocated only by the direction of the majority of the Richland County Delegation to the General Fund.

The Treasurer of Richland County is authorized to extend credit for recording Federal Agricultural Papers.

§ 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved the 20th day of May, 1937.

(212)

No. 597.

AN ACT to Authorize the Issuance of Negotiable, Serial, Coupon Bonds by Olympia School District No. 4 of Richland County, and to Provide for the Payment Thereof.

Section 1. Olympia School District No. 4, Richland County, issue bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Trustees of Olympia School District No. 4, of Richland County, is hereby authorized and empowered to issue negotiable, serial, coupon bonds of said District in an amount not to exceed Fifty Thousand (\$50,000.00) Dollars, but in no event to exceed the constitutional bonding capacity of said District as may be determined at the time of issue.

§ 2. **Denominations—interest—maturities.**—All bonds hereby authorized shall be of such denominations as may be determined by the said Board of Trustees; shall bear interest at any rate fixed by the said Board not in excess of four (4%) per centum, per annum, payable semi-annually, and shall mature in such serial groups annually as may seem most desirable to the said Board in keeping the yearly debt service on the said issue reasonably uniform; *Provided*, that the longest term of any bond or group of bonds authorized hereunder shall not exceed twenty (20) years, but that all of said bonds may mature in less than twenty (20) years should the said Board of Trustees so decide.

§ 3. **Execution.**—Said bonds shall be signed by the Board of Trustees of the said District and the corporate seal of the said District

impressed thereon, but the facsimile signatures of the Chairman and of the Clerk of the said Board appearing on all interest coupons by any process used by the printers or engravers thereof shall be a sufficient signing of such coupons.

§ 4. Sale, deposit, disbursement, and use of proceeds.—The said bonds may be sold by the said Board of Trustees at such time and place as may be agreed upon by the said Board and at either private or public sale, with or without prior advertisement thereof, provided the said Board receives par and accrued interest to date of sale. The proceeds thereof shall be deposited with the Treasurer of Richland County to be paid out by him upon the warrant or order of the said Board of Trustees for the purpose of constructing and equipping a building or buildings for public school purposes in the said District, or enlarging or repairing present school buildings therein, and also for paying necessary incidental expenses in connection with this issue and such construction and equipment, *Provided*, That should the bonds authorized hereunder be sold and delivered to the United States Government, or any of its agencies, including the Federal Emergency Administration of Public Works, under any plan whereby federal aid is to be secured in the financing of the proposed construction, equipment and incidental expense, then, and in that event, the said Board of Trustees is hereby specifically authorized and empowered, in its discretion, to enter into and fully comply with all the terms and conditions of any agreement and/or bond purchasing contract that may be submitted or required by the United States Government or any of its agencies as a condition precedent to such federal aid, anything in this Act to the contrary notwithstanding.

§ 5. Payment.—Upon the issuance of any or all of the bonds hereby authorized the full faith, credit and taxing power of the said School District shall thereby be irrevocably pledged for the prompt payment of principal and interest thereon, and it shall be the duty of the officers of said County, charged with the assessment and collection of taxes, forthwith to levy and collect annually an *ad valorem* tax upon the property returned for taxation in said District sufficient to pay the principal and interest of said bonds as they mature.

§ 6. Issue and sell when resolution therefor adopted.—This Act shall be complete authority for the said Board of Trustees to adopt a resolution or resolutions and issue and sell all or any portion of the bonds hereby authorized, either as one issue or from time to

time as separate issues, without further formality or prior proceeding irrespective of any other provision of any general, special or local law and such bonds when authorized, issued and sold by the Board of Trustees aforesaid in substantial compliance with the provisions of this Act shall be binding, legal and enforceable obligations of the said District. The only thing necessary to evidence the validity of all or any part of the bonds hereby authorized shall be an appropriate resolution adopted by the said Board of Trustees.

§ 7. **Tax exempt.**—Bonds issued hereunder shall be exempt from all State, County and municipal taxation.

§ 8. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 9. This Act shall take effect immediately upon its approval by the Governor.

Approved the 24th day of March, 1937.

(353)

No. 598.

AN ACT to Authorize the School Commissioners of School District No. 1, Richland County, to Order and Hold an Election for the Purpose of Issuing Coupon Bonds for School Purposes.

Section 1. School District No. 1 issue bonds for school purposes if election therefor favorable, Richland County.—Be it enacted by the General Assembly of the State of South Carolina: That the School Commissioners for School District No. 1, Richland County, South Carolina, be, and they are hereby, authorized and empowered to issue and sell coupon bonds of said School District in the sum of not exceeding Five Hundred Thousand (\$500,000.00) Dollars, or so much thereof as may be legally issued or as they may deem necessary, for the purpose of acquiring additional property, erecting or enlarging building, or buildings, and purchasing equipment for public schools in said School District, or for paying any indebtedness incurred for said purposes: *Provided*, That a majority of the voters of said School District, voting thereon at an election to be held as hereinafter provided, shall vote in favor of issuing said school bonds.

§ 2. **Election.**—That for the purpose of determining whether or not school bonds shall be issued as provided in Section 1, the said School Commissioners of School District No. 1 shall order an election

to be held at such place or places, and at such time, in the School District as may be designated by the said School Commissioners. In said election only voters residing in the said School District and who produce their registration certificates and who offer proof of the payment of any Poll tax due and payable shall be allowed to vote; and said School Commissioners shall give notice of such election, which said notice shall appear at least twice before such election, in a newspaper published in said District. Said notice shall designate the time and place, or places, at which the election shall be held, and said notice shall state the question to be submitted. The said School Commissioners shall appoint the managers of said election, receive the returns, and declare the result.

§ 3. Ballots for election.—The School Commissioners of School District No. 1 shall have printed and provided for the use of the voters a sufficient number of ballots, which shall be placed at the voting place or places, on which ballot shall be printed the words “For the issue of School Bonds” and the words “Against the issue of School Bonds”, and the voter voting for the issue of bonds shall strike out words “Against the issue of School Bonds” and the voter voting against the issue of bonds shall strike out the words “For the issue of School Bonds”.

§ 4. Bonds—election favorable issue—maturities—sale — interest.—If a majority of the votes cast in said election shall be in favor of issuing the said bonds, the said school Commissioners shall issue the bonds as serial bonds, maturing as they shall deem best, *Provided*, That none of said bonds shall mature later than twenty (20) years from the date of said bonds. The School Commissioners shall sell the bonds at not less than par and accrued interest and the proceeds therefrom shall be used for the purposes mentioned in Section 1, hereof, *Provided*, That the bonds so sold shall bear interest at a rate of not exceeding four (4) per centum per annum, payable semi-annually and said bonds shall be in such form and shall be payable at such time, or times, and at such place, or places, as the said School Commissioners shall prescribe: *Provided*, That said bonds may be sold in installments as shall be deemed advisable by said School Commissioners.

§ 5. Bonds—execution.—That said bonds shall be signed by the Chairman of the Board of School Commissioners in School District No. 1 and countersigned by the Secretary: *Provided*, That the signature of said officers may be lithographed or engraved upon the

coupons attached to said bonds and such lithographed or engraved signatures shall be a sufficient signing thereof.

§ 6. **Bonds tax exempt.**—That said bonds, when issued, shall be exempt from taxation for State, County, and Municipal purposes.

§ 7. **Payment of bonds.**—That it shall be the duty of the County officers of Richland County, charged with the assessment and collection of taxes, by the direction of the School Commissioners of School District No. 1, to levy and collect annually such a tax upon all taxable property within School District No. 1 as will raise a sum sufficient to pay the interest and principal on said bonds as the same shall become due.

§ 8. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 9. This Act shall take effect immediately upon its approval by the Governor.

Approved the 17th day of April, 1937.

(620)

No. 599.

AN ACT to Authorize the Board of Trustees of School District No. 4, Richland County, to Order and Hold an Election for the Purpose of Issuing Coupon Bonds for School Purposes.

Section 1. School District No. 4 issue bonds for school purposes if election therefor favorable, Richland County.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Trustees for School District No. 4, Richland County, South Carolina, be, and it is hereby, authorized and empowered to issue and sell coupon bonds of said School District in the sum of not exceeding Fifty Thousand (\$50,000.00) Dollars, or so much thereof as may be legally issued or as it may deem necessary, for the purpose of acquiring additional property, erecting or enlarging building, or buildings, and purchasing equipment for public schools in said School District, or for paying any indebtedness incurred for said purposes: *Provided*, That a majority of the voters of said School District, voting thereon at an election to be held as hereinafter provided, shall vote in favor of issuing said school bonds.

§ 2. **Election.**—That for the purpose of determining whether or not school bonds shall be issued as provided in Section 1, the said Board of Trustees of School District No. 4 shall order an election to

be held at such place or places, and at such time, in the School District as may be designated by the said Board of Trustees. In said election only voters residing in the said School District and who produce their registration certificates and who offer proof of the payment of any Poll tax due and payable shall be allowed to vote; and said Board of Trustees shall give notice of such election, which said notice shall appear at least twice before such election, in a newspaper published in said County and generally circulated in said District. Said notice shall designate the time and place, or places, at which the election shall be held, and said notice shall state the question to be submitted. The said Board of Trustees shall appoint the managers of said election, receive the returns, and declare the result.

§ 3. Ballots for election.—The Board of Trustees of School District No. 4 shall have printed and provided for the use of the voters a sufficient number of ballots, which shall be placed at the voting place or places, on which ballot shall be printed the words “For the issue of School Bonds”, and the words “Against the issue of School Bonds”, and the voter voting for the issue of bonds shall strike out words “Against the issue of School Bonds”, and the voter voting against the issue of bonds shall strike out the words “For the issue of School Bonds.”

§ 4. Bonds—election favorable issue—maturities—sale—interest.—If a majority of the votes cast in said election shall be in favor of issuing the said bonds, the said Board of Trustees shall issue the bonds as serial bonds, maturing as it shall deem best: *Provided*, That none of said bonds shall mature later than twenty (20) years from the date of said bonds. The Board of Trustees shall sell the bonds at not less than par and accrued interest and the proceeds therefrom shall be used for the purposes mentioned in Section 1 hereof; *Provided*, That the bonds so sold shall bear interest at a rate of not exceeding four (4) per centum per annum, payable semi-annually and said bonds shall be in such form and shall be payable at such time, or times, and at such place, or places, as the said Board of Trustees shall prescribe: *Provided*, That said bonds may be sold in installments as shall be deemed advisable by said Board of Trustees.

§ 5. Bonds—execution.—That said bonds shall be signed by the Chairman of the Board of Trustees in School District No. 4 and countersigned by the Secretary: *Provided*, That the signature of said officers may be lithographed or engraved upon the coupons at-

tached to said bonds and such lithographed or engraved signatures shall be a sufficient signing thereof.

§ 6. **Bonds tax exempt.**—That said bonds, when issued, shall be exempt from taxation for State, County, and Municipal purposes.

§ 7. **Payment of bonds.**—That it shall be the duty of the County Officers of Richland County, charged with the assessment and collection of taxes, by the direction of the Board of Trustees of School District No. 4 to levy and collect such a tax upon all taxable property within School District No. 4 as will raise a sum sufficient to pay the interest and principal on said bonds as the same shall become due.

§ 8. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 9. This Act shall take effect upon its approval by the Governor.

Approved the 15th day of May, 1937.

(347)

No. 600.

AN ACT to Validate Special Election Held in Lykesland School District No. 5, Richland County, November 2, 1936, for the Purpose of Making a Loan of Two Thousand Five Hundred (\$2,500.00) Dollars from the Sinking Fund Commission of South Carolina, and to Fix a Tax Levy to Provide for the Payment Thereof.

Section 1. Note and election thereon validated, Lykesland School District No. 5, Richland County.—Be it enacted by the General Assembly of the State of South Carolina: That a Special Election in Lykesland School District No. 5, Richland County, for a loan of Two Thousand Five Hundred (\$2,500.00) Dollars by the Sinking Fund Commission of South Carolina on a note executed by the County Treasurer and the members of the Board of Trustees of said School District, be, and the same is, hereby validated and declared to be legal in all respects as an obligation of the said Lykesland School District No. 5; Richland County.

§ 2. **Payment.**—That, in order to provide for the payment of the indebtedness validated in the foregoing Section, there is hereby levied an annual tax of two (2) mills upon all the property of the said School District, sufficient to retire said indebtedness, together with interest at six per cent per annum in five (5) annual installments. The proceeds of such special levy shall be paid over annually to the

Sinking Fund Commission by the County Treasurer and shall be by it applied to the payment of said indebtedness. It shall be the duty of the Auditor of Richland County to levy, and of the Treasurer to collect, such special taxes under the provision of law relating generally to the collection of taxes.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(59)

No. 601.

AN ACT to Provide for the Levy of Taxes for Ordinary County Purposes and School Purposes for the Year 1937, and the Expenditure Thereof for Saluda County, to Provide for the Payment of Unpaid Court Expenses Incurred in 1935, to Provide Transfer to the Contingent Fund Account Certain Receipts of Taxes for the Year 1935, and to Provide for Penalties in Case of Failure of County Officers to Perform the Duties According to the Provisions of This Act.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of mills as is necessary to raise the amount of money hereinafter appropriated, is hereby levied on all taxable property in Saluda County for school and County purposes for the year 1937 for the amounts and purposes hereinafter mentioned.

Item 1. Roads and Bridges:

Maintenance of Roads and Bridges, Tractor

Forces and Convicts \$ 8,500.00

Provided, That such sums as are received from the State Treasurer's office in payment to the county of its proportion of the State Gasoline Tax, shall be expended by and upon the approval of the majority of the Board of Commissioners of Saluda County. From this appropriation the County Board is authorized and directed to pay travel expenses of the Sheriff for transporting prisoners beyond the

borders of the County, upon bills to be submitted by the Sheriff under oath.

County Home and Poor House.....\$ 1,200.00

Item 2. Salaries, payable monthly:

Clerk of Court	400.00
Treasurer	440.00
Auditor	440.00
Sheriff and Sheriff's expenses	1,450.00

Provided, That the Sheriff shall receive in addition to the above all fees collected by his office and pay his own water and light bills.

Chairman Board of Commissioners, for full time	1,200.00
Two (2) County Commissioners \$400.00 each..	800.00
Clerk to Board	250.00
Superintendent of Education Salary	1,200.00
Judge of Probate	\$ 400.00

Provided, That the Judge of Probate shall receive, in addition to the above, all fees collected by him for the issuance of marriage licenses.

Magistrate of Court House	400.00
Magistrate at Ridge Springs	300.00
Constable at Ridge Springs	120.00
Two (2) Magistrates at \$60.50 each	121.00
Two (2) Constables to Magistrates \$38.50 each	77.00
Coroner and his Deputy, including stenographic or clerical help	170.00
Janitor to Court House	240.00
County Attorney	75.00
County Physician	240.00

Provided, That the County Physician shall act as one of the examining physicians in each lunacy case and assist in all post mortems without extra comepnstation and shall vaccinate without extra pay any and all people of the county who apply for same at his office, provided serum is furnished by the State Board of Health, or the County.

Deputy Sheriff, (to be appointed by the Governor, upon the recommendation of a majority of the Delegation), and expenses for Deputy Sheriff	1,000.00
the said Deputy Sheriff above mentioned shall be clothed with authority to arrest without warrant any person known or suspected by him upon satisfactory information, of violation of any of the criminal laws of the State; <i>Provided</i> , That any person arrested shall be taken immediately to the most convenient Magistrate and a warrant for his arrest procured: <i>Provided</i> , That the said Deputy Sheriff may perform all duties usually required of rural policemen and shall patrol the County as he may be directed by the Sheriff: <i>Provided</i> , That if the said Deputy fails to do his duty by not enforcing all laws that he shall be subject to removal at any time by the Governor, upon the recommendation of a majority of the Legislative Delegation. The Sheriff or Deputy Sheriff shall transfer all lunatics to the Asylum free of all cost except the actual expenses. <i>Provided, Further</i> , That the said Deputy Sheriff shall work under the direction of the Sheriff and shall devote his entire time to the office duties of the office. That the Sheriff or Deputy Sheriff shall act as Constable for the Magistrate for Saluda Court House.	
Item 3. Post Mortems, Inquest and Lunacy	\$ 150.00
Board of Equalization	510.00
Item 4. Jail expenses, including dieting of prisoners; at 40¢ per day each and bedding	600.00
Allowance for long distance telephone calls	75.00
Rewards	100.00
Jurors and Witnesses	2,000.00
Water	\$ 250.00
Fuel	250.00

Lights Court House	40.00	
Court House Square	175.00	
Total		715.00
New equipment and miscellaneous repairs to Court House		600.00
One telephone to be located in the Jail and one in Court House		72.00
Insurance and Sinking Funds		400.00
Miscellaneous Office Expense:		
Clerk of Court		425.00
Sheriff		10.00
Judge of Probate		120.00
Treasurer		160.00
Superintendent of Education		35.00
Auditor		60.00
Commissioners Office	\$	162.00
<i>Provided</i> , the bills for printing herein authorized shall be paid upon separate bill rendered by each County Officer Duly verified by the seller		
Auditing County Officers' Books		250.00
Agricultural Department: Lights, Fuel and Four H- Club Work		250.00
County Health Department: Medical Aid		300.00
Item 5. Miscellaneous Contingent:		1,100.00
Insurance on Officer's bonds		587.00
Vital Statistics		125.00
Insurance on County Funds		180.00
Item 6. Interest on current loans in anticipation of col- lection of taxes		500.00

§ 2. The fee that may be charged by the Clerk of Court for Saluda County for the recording, filing, indexing and/or registering any mortgage or other instrument conveying an interest in, or creating a lien on the crops growing or to be grown and/or personal property and made to any corporation under the Act of Congress known as the Farm Credit Act of 1933, if and/or as amended a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate

Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be seventy-five (75¢) cents; and a copy or duplicate of such instrument shall be furnished to the recording officer; *Provided*, That Saluda County is specifically excepted from the provisions of Section 3637, Code of Laws of South Carolina, 1932.

§ 3. That all able bodied male persons between the age of 21 and 55 years, inclusive, in the County of Saluda are required to render annually two (2) days work or labor upon the public roads of Saluda County. That for the purpose of supervising and directing such labor the Board of County Commissioners shall designate and appoint overseers throughout the County and indicate the stretches of road to be worked by each overseer. Roads shall be allotted so that the total number of miles of road in the territory of any one overseer shall not exceed one-half ($\frac{1}{2}$) of One (1) school district, and the persons required to perform labor under the terms of this Act shall perform it upon the stretch of road nearest his residence and within the territory of the overseer residing in his road district. Road overseers are authorized and empowered to direct and supervise such labor, to fix the hours and days of work and to notify the persons liable to such duty of the time and such place to report for work at least two days prior to the work day. Laborers are also required to furnish implements with which to work. Overseers are authorized to accept two horse team and wagon or plow in lieu of two days labor. The performance of the duties devolved upon any road overseer by him shall be accepted in lieu of the labor herein required of such overseer.

The County Board of Commissioners with the assistance of the County Auditor are required on or before March 15th of each year to make up a list by road districts, school districts or township districts as is most convenient and practical, of all persons liable to road duty and to furnish to the respective overseers appointed on or before March 15th of each year a list of the persons whose labor and work such overseers is to supervise and direct.

Any person failing to perform the reasonable road duty herein required, and not having paid the tax in lieu of such service as authorized is declared to be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than Ten Dollars nor more than Thirty (\$30.00) Dollars, or imprisonment for a term of not less than ten days nor more than thirty days. It is hereby

made the duty of the road overseer to report to the County Board of Commissioners the failure of any person liable to road duty to discharge the same and it is thereupon made the duty of the County Board of Commissioners to prosecute such persons.

All persons who are liable to perform labor upon the public roads of Saluda County in lieu of performing or causing the same to be performed, may pay on or before June 1st, of any year, a commutation or road tax of Two (\$2.00) Dollars per head, which shall be expended by the Board of County Commissioners for the purpose of purchasing bridge materials to be used as nearly as practicable in the district from which it is paid, such sums to supplement any other sums applicable to such purposes.

Any persons accepting appointment to the position of road overseer and failing to properly discharge his duties is hereby declared to be guilty of a misdemeanor and upon conviction shall be subject to a fine not exceeding One Hundred Dollars or imprisonment not exceeding thirty days.

§ 4. That the County officials of Saluda County are hereby directed to collect the fees as are allowed them by law as a part of their salaries. That the County Treasurer shall retain 25 cents additional out of every tax execution fee collected.

§ 5. That, in anticipation of the collection of the 1937 taxes, the County Board of Commissioners is hereby authorized to borrow an amount sufficient to meet the expenses of the County Government, as herein provided for, and also an amount to work the roads and build bridges as above provided for and to operate the tractors and scrapers provided for, and to pledge the taxes of 1937 in payment thereof. And the full faith, credit and taxing power of Saluda County are hereby pledged for the payment of such note or notes as are issued under authority of this Section.

§ 6. That the above accounts shall be kept separate and distinct and expended only for the purpose for which appropriated, provided no bill or claim shall be approved or paid unless the same shall state fully what it is for, giving the kind or quantity of the thing or commodity which it represents in addition to the amount and time when furnished: that any note or contract made by any officer of the County or County Board in excess of the levy and appropriation herein shall be null and void in so far as the county is concerned. *Provided*, That the contingent fund herein provided for shall be paid out upon and only upon the written approval of the Saluda

County Delegation. *Provided, Further,* That any officer or employee who disregards any of the provisions hereof, without the written consent of the Saluda Delegation in the General Assembly, as kept on file in the office of the County Treasurer, shall be guilty of malfeasance in office and subject to removal upon the complaint of the Saluda Delegation, in addition to the punishment now provided by law.

§ 7. That all county officers, together with the County Game Warden, shall make a complete report of all fees, fines and monies received and disbursed by such officer to the County Delegation in the General Assembly from Saluda County for the year ending December 31, 1937, and that such reports shall be furnished not later than January 10, 1938, without further notice, said reports shall be considered public information to be used for the best interests of the county. Failure to make such reports by January 10, 1938, shall make such failing in this requirement subject to removal from office by the Delegation in the General Assembly from Saluda County.

§ 8. If any Section of this Act shall be found to be unconstitutional, it shall not be construed to effect the validity of any other Section hereof.

§ 9. As soon as the total amount of property for taxation has been ascertained for the year 1937, the Auditor and Treasurer jointly are authorized to increase or decrease the levy hereinabove made to meet the appropriation herein provided for, taking into account all other funds on hand for the purpose.

§ 10. That the County Board is hereby authorized and required to place the money coming from the whiskey, wine and beer tax in the calendar year 1937 in a separate fund to be known as "Saluda County High School Tuition Fund" and this fund may be used at the discretion of the County Superintendent of Education by and with the consent of the County Board of Education.

§ 11. The Chairman of the Board of County Commissioners shall cause to be published a monthly statement of all warrants paid for that month, stating briefly what paid for: *Provided* said publicity shall consist of the posting on Bulletin Board at Court House and publishing copy in "Saluda Standard" and \$65.00 is hereby appropriated to pay for the publication of said report.

§ 12. The County Superintendent of Education shall furnish at the end of each scholastic year on account of the money received, claims paid by each school district in Saluda County, also an ac-

count of any other money received and how disbursed by his office, together with the respective balances then on hand due to any school districts in the county, and that the same shall be filed with the Clerk of Court and kept as a public record.

§ 13. If for any cause the office of Chairman of the Board of County Commissioners, or either of the two commissioners shall become vacant, the Governor shall, upon the recommendation of the Saluda Legislative Delegation, appoint his successor.

§ 14. That the County Board of Commissioners are hereby authorized and empowered to use the County Chaingang, Machinery or other road working organization in Saluda County to aid or supplement the work now being done or ereafter to be done by laborers employed by Reconstruction Finance Corporation funds, under such circumstances and conditions as the County Board may deem for the best interest of the County.

§ 15. That the funds derived from interest on taxes collected by the County Tax Collector shall be applied to the current year's ordinary county expenses.

§ 16. That the Treasurer of Saluda County, upon the approval of the Saluda County Legislative Delegation, is hereby authorized and directed to pay out of the contingent fund, above provided for, any and all unpaid Court expenses at the last session of the Circuit Court in the year 1935, and he is likewise authorized and directed to transfer to said contingent fund account all tax revenue received by him which has heretofore been pledged for the payment of such court expenses.

§ 17. That the County Board of Education is hereby authorized to set aside one (1) mill of the 1936 special school levy of the respective school districts of Saluda County to be used by them as a part of the County Board Fund.

§ 18. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 20. This Act shall take effect upon its approval by the Governor.

Approved the 15th day of February, 1937.

(232)

No. 602.

AN ACT to Authorize and Empower the Trustees of School District No. 1, Saluda County to Borrow a Sum of Not Exceeding Five Thousand Five Hundred (\$5,500.00) Dollars for the Completion and Equipment of School Buildings.

Section 1. School District No. 1, Saluda County, borrow complete and equip buildings.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of School District No. 1 of Saluda County are hereby authorized and empowered to borrow from the State Sinking Fund of South Carolina, or from other available sources, a sum of money not to exceed Five Thousand Five Hundred (\$5,500.00) Dollars, which, together with other funds heretofore borrowed for this purpose and funds to be secured from other sources, shall be used for the purpose of completion and equipment of said buildings in said district. That this shall be in addition to other funds heretofore authorized and shall be cumulative thereto.

§ 2. Issue notes.—That in order to secure the payment of the loan herein authorized, the Trustees of School District No. 1 of Saluda County are hereby authorized and empowered to execute and deliver to the lender as many notes as may be agreed upon between the Trustees and lender, maturing at such time as may be fixed by the Trustees, not exceeding five (5) years from the date of issue and at such rate of interest as may be agreed upon, not exceeding six (6) per cent per annum.

§ 3. Payment.—The Auditor of Saluda County is hereby authorized and directed to place a sufficient levy upon all of the taxable property of Saluda School District No. 1 to pay the notes and interest thereon as the same becomes due and payable, and the Treasurer of Saluda County is hereby authorized and directed to collect such tax so levied as other taxes are collected and use the same for the payment of the said notes together with interest thereon as and when the same may become due and payable. The full faith, credit and taxing power of the said Saluda School District No. 1 is hereby pledged for the payment of the said notes and interest as the same may become due.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 26th day of March, 1937.

(14)

No. 603.

AN ACT to Repeal a Joint Resolution Numbered 1303 of the Acts and Joint Resolutions of the General Assembly, South Carolina, 1936, Approved May 9, 1936, and Entitled "A Joint Resolution to Authorize and Direct the Transfer of Three Thousand (\$3,000.00) Dollars from the General Sinking Fund of Saluda School District No. 1 to the Building Fund of Saluda School District No. I."

Section I. Joint resolution 1303, 1936 Acts, repealed—transfer of funds, Saluda School District No. 1, Saluda County.—Be it enacted by the General Assembly of the State of South Carolina; That Joint Resolution numbered 1303 of the Acts and Joint Resolutions of the General Assembly, South Carolina, 1936, approved May 9, 1936 and entitled "A Joint Resolution to Authorize and Direct the Transfer of Three Thousand (\$3,000.00) Dollars from the general Sinking Fund of Saluda School District No. 1 to the Building Fund of Saluda School District No. 1" be, and the same is hereby, repealed.

§ 2. This Resolution to take effect upon the approval of the Governor.

Approved the 3rd day of February, 1937.

(32)

No. 604.

AN ACT to Validate Loan of Three Thousand (\$3,000.00) Dollars Made to Saluda County Board of Education by the Sinking Fund Commission of South Carolina and to Fix a Tax Levy to Provide for the Payment Thereof.

Section 1. Loan to Saluda County validated.—Be it enacted by the General Assembly of the State of South Carolina: That a loan of Three Thousand (\$3,000.00) Dollars made to Saluda County Board of Education by the Sinking Fund Commission of South Carolina on note executed by the County Treasurer and Members of the Board of Education of Saluda County, bearing date of September 23, 1936, be, and the same is hereby, validated and declared to be legal in all respects as an obligation of the said Saluda County.

§ 2. **Payment.**—That in order to provide for the payment of the said note there is hereby set aside a sufficient amount of the present special school tax levy in Districts four (4), five (5), six (6), ten

(10), fourteen (14) and thirty-one (31), Saluda County, to retire the loan plus interest within a period of three (3) years. It is further provided that if it is found that during any one year while this loan remains unpaid the present tax levy is insufficient to meet the payment of one-third of the principal sum of this loan and interest upon all money remaining unpaid a special tax will be levied for this purpose. One-third of the amount due on the principal of this note and all interest to date shall be paid over annually to the Sinking Fund Commission by the County Treasurer to be applied on the principal and interest of the note given to secure the loan until the said loan is paid in full, at which time the tax shall no longer be levied. It shall be the duty of the Auditor of Saluda County to levy the said special tax, or set aside a sufficient amount of the present special school tax levy to retire the loan with interest and the duty of the County Treasurer of the said County to collect the tax so levied as other taxes are collected by law; *Provided*, That no one of said districts shall be liable for a greater portion of said debt than such district received of the proceeds of said loan plus interest.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 5th day of February, 1937.

(661)

No. 605.

AN ACT Relating to the Fiscal Affairs of Spartanburg County, Making Appropriations Therefor and Levying Taxes for Same.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of twenty-eight and three-quarters ($28\frac{3}{4}$) mills is hereby levied on all taxable property in Spartanburg County for County and School purposes for the fiscal year beginning July 1, 1937, and ending June 30, 1938, for the amounts and purposes hereinafter mentioned:

Item 1. Retiring Bonds	\$355,500.00
Interest on bonds	153,326.87
Bank Commission	738.85
Interest on County and on School	

Notes and Expense on bonds issued.	5,000.00	.
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\$514,565.72

Provided, That the above appropriation is reduced to the extent that bonds are refunded.

Item 2. County Home and Farm (including salary of Superintendent at \$90.00 per month) 9,250.00

Additional appropriation year ending June 30, 1937..... 1,700.00

Provided, members of the white and negro races be housed and kept under separate roof.

For Mrs. Ray Hill as matron.... 120.00

11,070.00

Item 3. Public Buildings (Court House and Jail), water, lights, fuel, telephone, and maintenance, etc., including long distance calls for Jail 7,000.00

Insurance on buildings 1,800.00

Office Equipment 1,500.00

10,300.00

Item 4. County jail, telephone, dieting of prisoners, etc. 10,500.00

Provided, the Sheriff shall be paid fifty cents per day for each prisoner confined in the county jail, the Sheriff shall be responsible and pay for the following named expenditures only: Dieting of all prisoners, telephone, disinfectants, soaps, brooms, mops, bath and toilet supplies, light bulbs, blankets, and bedding to be used at County Jail.

Medicine for County Jail	\$ 400.00
V. D. Clinic at County Jail for equipment, medicine and sup- plies	300.00
Repairs to County Jail Dwelling.	750.00

\$ 11,950.00

Item 5. Salaries, Court expenses, boards,
etc.:

Auditor	1,198.16
Traveling expenses for Auditor..	200.00
First Clerk	1,760.00
Second Clerk	1,500.00
Extra Clerical	1,800.00

\$ 6,458.16

Provided, That the salary to be
paid to the Auditor shall not ex-
ceed one-half of the amount paid
by the State.

Clerk of Court	2,690.00
Deputy Clerk	1,760.00
Clerical Help	1,190.00

\$ 5,640.00

County Board of Spartanburg
County:

County Board—three (3) mem- bers at \$300.00 each	900.00
County Attorneys—for advice to all County Officials	1,000.00
Clerk and Secretary of Board....	2,125.00
Traveling expenses for Clerk and Secretary	200.00
Assistant Clerk and Secretary....	\$ 1,395.00

\$ 5,620.00

Special Auditor	2,690.00
Clerical Help	250.00

\$ 2,940.00

Probate Judge	2,690.00	
First Clerk	1,395.00	
Second Clerk	1,100.00	
		\$ 5,185.00
Master	2,690.00	
First Clerk	1,395.00	
		\$ 4,085.00
Register of Mesne Conveyance...	2,690.00	
First Clerk	1,395.00	
Second Clerk	1,100.00	
Third Clerk	1,100.00	
Fourth Clerk	1,100.00	
		\$ 7,385.00
Sheriff	2,750.00	
Traveling Expenses for Sheriff..	700.00	
Deputy Sheriff	2,500.00	
Traveling Expenses for Deputy Sheriff	200.00	
Stenographer	1,100.00	
Day Jailer and Rural Policeman..	1,612.50	
Traveling Expenses Day Jailer and rural policeman	100.00	
Night Jailer, Night Watchman and rural policeman	1,612.50	
Traveling expenses Night Jailer, night watchman and rural policeman	\$ 100.00	
Assistant Jailer and rural policeman	1,612.50	
Traveling expenses, Assistant Jailer and rural policeman.....	100.00	
Salaries for Rural Policeman and County Detectives, twelve Rural Policemen at \$135.00 each per month. One Chief Rural Policeman at \$145.00 per month and three County Detectives at		

\$135.00 each per month and one Chief County Detective at \$145- .00 per month	27,780.00	
Traveling expenses and upkeep of cars for Rural Policeman and County Detectives at \$60.00 per month each	12,240.00	
		\$ 52,407.50
Additional appropriation for Deputies and Constables for the fiscal year ending June 30, 1937	4,396.16	
		4,396.16
This appropriation to be made ef- fective immediately upon the passage of this Act for the pay- ment of properly approved claims.		
Constables for Magistrates:		
Enoree	300.00	
Landrum	250.00	
Chesnee	250.00	
		\$ 800.00
County Treasurer	1,198.16	
Assistant Treasurer	1,935.00	
First Clerk	1,500.00	
Second Clerk	1,100.00	
		\$ 5,733.16
<i>Provided</i> , That the salary to be paid to the Treasurer shall not exceed one-half of the amount paid by the State.		
Juvenile Court:		
Probation Officer	\$ 1,800.00	
Traveling expenses	345.00	
Court expenses, conveying proba- tioners, detention, care, etc....	2,000.00	

Additional appropriation for Court expenses, conveying probationers, detention, care etc. for year ending June 30, 1937.....		1,000.00	
			\$ 5,145.00
County Court:			
Judge	\$	2,960.00	
Solicitor		1,975.00	
Court Stenographer		967.50	
Stenographer for Solicitor		675.00	
			\$ 6,577.50
Coroner		1,290.00	
			\$ 1,290.00
Registration Board:			
Three (3) members at \$100.00 each for the period July 1—December 31, 1937			
	\$	300.00	
\$300.00 each for the period Jan. 1—June 30, 1938			
		900.00	
			\$ 1,200.00
Tax Collector—Clerk	\$	1,620.00	
Stenographer		1,075.00	
			\$ 2,695.00
Magistrates:			
City of Spartanburg—not located at Court House			
		1,800.00	
Stenographer		1,100.00	
Woodruff		500.00	
Inman		400.00	
Duncan		400.00	
Greer		700.00	
Chesnee		400.00	
Landrum		400.00	
Enoree		400.00	
Pacolet		400.00	

Glendale	400.00	
Clifton	400.00	
Reidville	300.00	
		\$ 7,600.00
Court Expenses	15,000.00	
Additional for year ending June 30, 1937	2,000.00	
		\$ 17,000.00
Board of Assessors:		
(Outside City, \$4.00 each per day)	2,500.00	
City Board of Assessors.....	1,080.00	
		\$, 3,580.00
County Service Officer	1,200.00	
Woodruff Service Officer	200.00	
		\$ 1,400.00
Spartanburg County Children's Home	3,000.00	3,000.00
Superintendent of Education	2,690.00	
Assistant Superintendent of Edu- cation	1,760.00	
Stenographer	1,100.00	
Extra Clerical Help	500.00	
		\$ 6,050.00
<i>Provided</i> , The salary to be paid to the Superintendent of Educa- tion hereinabove provided in the sum of \$2,690 is to be reduced to the extent of any salary paid by the State.		
<i>Provided</i> , the additional salary necessary for an extra clerk is paid out of the County Board of Education Fund.		
Extension Work:		
Stenographer for Farm Demon- stration Agent	\$ 1,075.00	

Textile Study Classes	600.00
Teacher of Adult Schools.....	1,000.00
Supervisor of Vocational Agri- cultural Classes	200.00
Office Rent for Colored Home Demonstration Agent	300.00
Woodruff Public Library	200.00

There is hereby appropriated for the purpose of library books in each of the high schools of Spartanburg County a sum sufficient to match the amounts deposited by such schools with the County Superintendent of Education for that purpose; *Provided, However,* That not in excess of one hundred (\$100.00) dollars is appropriated for any one high school, and *Provided Further,* That the elementary schools shall have the right to use books so purchased under rules and regulations of the Spartanburg County Board of Education, a total of 1,900.00

\$ 5,275.00

Roebuck School Building 2,500.00

County Physician:

For Medical work at the county Home and County Jail, including V. D. treatment of County prisoners at County Jail 1,000.00

Kennedy Free Library 2,000.00

Provided, The appropriation for Kennedy Free Library is conditioned upon the appropriation by the City of Spartanburg of \$1500.00 for the support of said institution; *Provided Further,*

That in event the said city shall fail to appropriate the full amount of \$1500.00 the appropriation herein provided shall be reduced proportionately.

Office expenses of Solicitor of the 7th Judicial Circuit.....\$		700.00	
Total Item 5			\$167,662.48
Item 6.	Post Mortems, autopsies	400.00	
	<i>Provided</i> , That no physician shall be paid in excess of \$10.00 for an autopsy or \$5.00 for a Post Mortem, but no autopsy shall be performed without the written approval of the Coroner of Spartanburg County and the Solicitor of the 7th Judicial Circuit		
	Conveying prisoners (4c per mile when conveyed outside the County).	600.00	
	Examining lunatics, <i>Provided</i> , No physician shall be paid in excess of \$5.00 for any one examination	1,200.00	
	Greer Health Unit	400.00	
	<i>Provided</i> , A proportionate amount is appropriated by Greenville County.		
	Burial of Paupers	1,000.00	
	<i>Provided</i> , No pauper coffin shall exceed \$15.00		
			\$ 3,600.00
Item 7	Books, stationery, printing, etc...\$	5,000.00	
Item 8	Incidentals:		
	Identification Bureau	\$ 400.00	
	This Amount to be used solely for the purpose of maintenance and operation of the Bureau and		

shall be paid out only upon warrants duly issued by the County Board of Spartanburg County.	
Temporary Board of Public Welfare	3,800.00
To reimburse State Board of Public Welfare. To be made available immediately upon the passage of this Act.	
Contingent	300.00
To be expended by the County Board for items not appropriated for other than salaries for the year ending June 30, 1938.	
Contingent—year ending June 30, 1937	250.00
WPA or Relief Agencies Rent..	780.00
Franklin Nutrition Camp	1,500.00
Confederate Veterans Pensions (\$150.00 for each Veteran)...	1,050.00
Premium on County Officials Bonds	1,650.00
Vital Statistics	1,000.00
City of Spartanburg—Surface treatment Choice Street	85.70
Purchase of limbs for cripples under the Vocational Rehabilitation plan	300.00
National Guard Companies at Spartanburg and Lyman, \$400-.00 each	\$ 1,200.00
Company at Greer	200.00
Total Item 8.....	12,515.70
Item 9 Spartanburg General Hospital Spartanburg T. B. Hospital and County Health Unit	90,000.00
	\$ 90,000.00

Provided Further, That the first year nurses shall be paid the

sum of \$3.00 per month ; second year nurses shall be paid the sum of \$5.00 per month and third year nurses shall be paid the sum of \$7.00 per month

Provided Further, That \$2,500.00 from the above appropriation. may be used for payment of salary, equipment, etc. of County Dentist to be appointed by the Board of Trustees of Spartanburg General Hospital

Provided Further, That the V. D. Clinic shall be maintained at the General Hospital out of the above funds.

Highway Department:

Highway maintenance and chain gangs	70,000.00
Bridges	30,000.00
Paint for Bridges	5,000.00

\$105,000.00

There is hereby appropriated \$2,-690.00 as the salary of the Supervisor for the fiscal year ending June 30, 1938, to be paid out of funds appropriated for Highway purposes.

To the above appropriation for Highway Maintenance shall be added the balance of the gasoline tax received from the State after the payment of principal, interest, etc. on bonds issued or to be issued for surface treating roads in Spartanburg County.

Delegation Transferable Funds..\$ 8,500.00

Provided, Funds can only be transferred from this account on

written recommendation of a majority of the County Delegation, including the Senator.

Provided, Further, a sum not exceeding \$1,500.00 of this amount may be used immediately upon the passage of this Act for the payment of any claims against Spartanburg County.

GRAND TOTAL \$940,163.90

§ 2. The above accounts shall be kept separate and distinct and expended only for the purpose for which appropriated. In anticipation of the collection of the taxes herein provided for, the County Board and Treasurer are authorized to borrow, on the credit of the County and pledge the 1937 taxes in payment thereof, such amounts not to exceed Three Hundred Fifty Thousand (\$350,000.00) Dollars. Any note or obligation given in an amount exceeding the total authorization shall be null and void.

No account against the County shall be approved or paid except upon previously authorized expenditures of the County Board upon an itemized and sworn statement of the correctness of the amount, which shall be filed in the records of the office of the County Board. The appropriations made by this Act, other than those fixed by law, shall be expended only to the extent of so much as may be necessary under the direction of an authorization of the County Board.

The heads of all departments of the County government and any and all persons who have authority to purchase goods, wares and/or services for the County or any division or department shall operate strictly within his budget; and any such person or persons who shall incur expenses beyond the amount appropriated for the respective enterprises without the written consent of the Senator and a majority of the House Delegation shall be personally liable for such overdraft; and the County Board shall apply the salary of such obligor to the payment of such deficit until the entire obligation is paid; and the County Board shall give to each person who makes such purchases a certified copy of this provision.

§ 3. The County Board shall be empowered to pay expenses incurred by the City Magistrate not located in Court House for fuel, water, and lights.

§ 4. All costs and fees now required by law to be paid for recording papers and documents in all cases, or serving the same, shall be paid in advance to the County Treasurer who shall endorse by stamp on all papers or documents the words 'fees and costs paid', with the date thereof, and no paper or document shall be served or recorded by any county officer charged therewith unless said endorsement appears thereon.

§ 5. All trust funds held by any county officer shall be deposited in any bank or banks of said county at a rate of interest agreed upon between said officers and banks receiving such funds, the interest of which shall be collected by said officer semi-annually, and deposited with the County Treasurer, who shall credit the same to the general funds of said county and shall be paid out upon the warrant of the County Board as all other general funds are paid: *Provided*, That this section shall not apply to the office of the Probate Judge of said County.

§ 6. All purchases made by all departments of the County shall be made, or let on competitive bids.

§ 7. The appropriation for the Spartanburg County Children's Home, shall be turned over to the Board of Trustees of said Children's Home to pay tuition of students in school or schools; any balance left after said payments may be used to defray the expenses of the said Children's Home.

§ 8. The Sheriff of Spartanburg County shall keep a book or books on which shall be shown the number of county prisoners confined in the County Jail each day. Also keep on file commitment and discharge papers for each and every prisoner committed to the County Jail. The records herein required to be kept by the Sheriff shall be open for inspection at any time to the Spartanburg Legislative Delegation.

§ 9. For the Court of General Sessions and County Criminal Court there shall not be more than four (4) bailiffs, who shall receive not in excess of two and 50/100 (\$2.50) dollars each per day; and a Court crier at two and 50/100 (\$2.50) dollars per day. For the Court of Common Pleas and County Civil Court there shall not be more than two (2) bailiffs who shall receive not in excess of two and 50/100 (\$2.50) dollars each per day, and a Court Crier at two and 50/100 (\$2.50) dollars per day. Jurors for the Circuit Court and County Court shall receive a per diem of three (\$3.00)

dollars each per day in addition to the mileage as now provided by law.

§ 10. The amount herein appropriated for the County Attorneys shall be in full payment for all services rendered for the County.

§ 11. From and after the passage of this Act, the Tax Collector of Spartanburg County, shall collect no mileage on tax executions, but the same shall be remitted to the taxpayer.

§ 12. The duties of the clerk of the Tax Collector shall be to eliminate *nulla bonas* and erroneous tax items from the tax accounts. Said clerk to work in conjunction with the County Auditor in the elimination of said *nulla bonas* and errors. It shall be the duty of the clerk so appointed to file a report on June 30 of each year, showing the number of *nulla bonas* and erroneous tax items charged off, the amount of taxes and the amount of assessments by school districts so eliminated. Such report shall be filed with the Auditor of the County and the Tax Collector. A summary of the amounts charged off shall be submitted to the County Delegation. The clerk so appointed is charged specifically with the duty of attaching to each execution reasons for charging any property off which must be approved by the Tax Collector. It shall be the further duty of the said clerk to place any property on the tax books which is not now being taxed insofar as his time will permit. It shall also be his duty to keep control system of accounts of the uncollected taxes by school districts and assist in the making of abstracts. He shall furnish a trial balance of the uncollected taxes for the respective years.

§ 13. There is hereby appropriated and to be paid out of the County Board of Education fund the sum of Four Hundred (\$400.00) Dollars to defray the traveling expenses of the Superintendent of Education. This amount to be pro rated and paid monthly after the passage of this Act.

§ 14. The appropriation for the City Board of Assessors in the sum of Thirty (\$30.00) Dollars per month each shall be in full payment for services rendered. In addition to the regular duties of the Board of Assessors, it shall also be their duty to see that abatements, errors and adjustments of taxes are attended to.

§ 15. The Senator shall have full authority to designate constables for the Magistrates in the City of Spartanburg whenever he deems such are necessary, and shall have authority to authorize compensation of said constables on a fee or salary basis. The Senator of Spartanburg County shall also have full authority to designate

the constables at Enoree, Landrum, Chesnee, or any other place where Magistrates are located, and he shall have authority to authorize the amount of compensation for any constables so appointed and not appropriated for in this appropriation Act, but in no case shall the amount authorized exceed \$300.00 per year, for a constable outside of Spartanburg City.

§ 16. The appropriation for the Identification Bureau shall be paid to the Sheriff on demand of the County Board as a whole or in part for said equipment and supplies, operation and upkeep of Bureau and special work.

§ 17. Any expenditure incurred during the fiscal year ending June 30, 1938, in excess of appropriations and actual cash receipts, shall be null and void. The County Supervisor and Superintendent of Spartanburg General Hospital are hereby required to furnish to the County Board of Spartanburg County not later than the tenth of each month an itemized list of all unpaid claims outstanding on the last day of the preceding month.

§ 18. The appropriation for repairs to the County Jail dwelling in the sum of \$750.00 is to be expended under the direction of the County Board of Spartanburg County. The appropriation in the sum of \$780.00 for WPA or Relief Agencies Rent is also to be expended as authorized by the County Board of Spartanburg County.

§ 19. The Magistrates of Spartanburg County shall arrange for one of the Magistrates to be at the Court House Saturdays and Sundays or be on duty where he is readily available. This provision to be effective upon the passage of this Act. The amount appropriated for each of the Magistrates hereinabove is to cover such additional service as may be required.

§ 20. An appropriation balance of \$309.90 for the year ended June 30, 1936, is hereby made available for the fiscal year ending June 30, 1937, and in addition \$316.00 is appropriated for the fiscal year ending June 30, 1937; for the Equalization Board.

§ 21. If for any reason the proceeds of a contemplated bond sale for hard surfacing roads cannot be made available for the payment of \$45,000.00 past indebtedness of the Highway Department then there is hereby appropriated this amount to be paid out of the general fund of Spartanburg County.

§ 22. If at any time after the passage of this Act there is appointed a Magistrate to serve at the Court House, the compensation for said Magistrate and a stenographer may be paid out of the delegation transferable fund and, if not available out of this fund,

then there is hereby appropriated, to be paid out of the general funds of Spartanburg County, the salaries of said Magistrate and the said Stenographer, but said salaries shall not be in excess of the salaries paid to the other Magistrate and the other stenographer in the city of Spartanburg.

§ 23. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 24. This Act shall take effect immediately upon its approval by the Governor.

Approved the 27 day of May, 1937.

(313)

No. 606.

AN ACT Authorizing the Spartanburg County Board of Commissioners and the Spartanburg County Treasurer to Assist the Spartanburg County Cooperative Soil Improvement Association, Inc., to Finance the Purchase of Power Terracing Equipment and to Otherwise Provide and Foster the Work of Soil Conservation in Said County.

Section 1. Spartanburg County borrow purchase terracing units.—Be it enacted by the General Assembly of the State of South Carolina: That in order to promote the work being done and to be done by the Spartanburg County Cooperative Soil Improvement Association, Inc., in the matter of conserving the soils in Spartanburg County by preventing soil erosion by means of the establishment and building of terraces and proper drainage facilities on agricultural lands in said County, and in order to encourage and foster this work, the County Board of Commissioners and the Treasurer of Spartanburg County are authorized and directed to borrow in the name of Spartanburg County eighteen thousand (\$18,000.00) dollars, if so much be necessary, and to loan the same to the said Spartanburg County Cooperative Soil Improvement Association, Inc., to be used by it in purchasing four (4) complete power terracing units. The said County officers are authorized and empowered to execute the note or notes on behalf of the county and to fix the maturity dates thereof and the rate of interest thereon; *Provided*, That the said Spartanburg County Cooperative Soil Improvement Association, Inc., shall execute and deliver to the aforesaid County authorities for the benefit of the County, a first lien chattel mortgage

over the property to be so purchased, which shall be in an amount equal to the loan.

§ 2. Payment.—The full faith, credit and taxing power of Spartanburg County is hereby pledged for the payment of the money herein authorized to be borrowed and any and all interest thereon. The Auditor of said County is hereby authorized and directed to place a sufficient levy on all the taxable property in Spartanburg County to pay said notes and interest thereon as and when same becomes due, and the Treasurer of said County is hereby authorized and directed to collect such tax so levied in like manner as other taxes are collected and to apply the same toward the payment of said notes and interest thereon as and when same become due.

§ 3. Spartanburg County cooperative soil improvement association, Inc., contract for use of units—charge.—The Spartanburg County Cooperative Soil Improvement Association, Inc., is authorized and empowered to enter into contracts with farmers for the use of said power terracing units and to establish a basis of charge for all such service and to direct the program of terracing the lands within the County and shall cooperate with the South Carolina Extension Service, the United States Soil Conservation Service and all other agencies of the State or Federal Government engaged in soil erosion control in Spartanburg County, and shall collect for such service under its contracts and after paying the operating expenses and setting aside a reserve fund for repairs and all other expenses incident to carrying on the program, shall apply the balance on the obligations made for the purchase of said terracing units, discharging the liens in the order of their rank as herein fixed; *Provided*, That the basis of charge shall not be less than two and 75/100 (\$2.75) dollars per operating hour of any one power terracing unit.

§ 4. Disposition of equipment.—At the expiration of the work to be done in Spartanburg County, the time to be set by the Spartanburg County Cooperative Soil Improvement Association, Inc., if the Association has not paid to the County all notes due the County, the power terracing equipment shall be transferred to Spartanburg County without forced sale, the same to be used on the roads of Spartanburg County.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.

Approved the 16th day of April, 1937.

(51)

No. 607.

AN ACT to Authorize and Empower the Trustees of Duncan School District No. 75, Spartanburg County, to Borrow a Sum of Money Not Exceeding Six Thousand (\$6,000.00) Dollars for the Purpose of the Construction and Equipment of a Community Cannery and the Purchase of House and Lot Adjoining the Present School Property to be Used as a Teacherage. And to Provide for the Levy of a Tax to Retire Said Loan.

Section 1. Duncan School District No. 75, Spartanburg County, borrow construct and equip cannery and buy teacherage.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Duncan School District No. 75, Spartanburg County are hereby authorized and empowered to borrow a sum of money not exceeding Six thousand (\$6,000.00) dollars at a rate of interest not exceeding six (6) per cent per annum for the purpose of constructing and equipping a community cannery, and to purchase house and lot adjoining the present school property which said house and lot is to be used as a teacherage in said School District. The loan shall be secured by a note or notes executed by the Trustees of the said School District and the Treasurer of Spartanburg County.

§ 2. Payment.—That in order to provide for the payment of the said loan and interest thereon there is hereby levied an annual tax of two (2) mills upon all of the taxable property of the said Duncan School District No. 75, Spartanburg County, to retire the said loan with interest. The said loan is to run for a period of not exceeding four (4) years with the privilege of paying the loan at an earlier date if desired. The entire proceeds of this special tax levy shall be paid annually on the principal and interest of the note, or notes, given to secure the loan until said loan is paid in full with interest, at which time the tax shall no longer be levied. It shall be the duty of the Auditor of Spartanburg County to levy the said special tax annually on all of the taxable property of the said school district, and the duty of the Treasurer of Spartanburg County to collect the tax so levied as other taxes are collected by law.

§ 3. Deposit and disbursement of funds borrowed.—That the amount borrowed shall be deposited with the County Treasurer of Spartanburg County to the credit of the said school district to be

expended upon the warrant or order of the proper school officials for the purpose mentioned in this Act.

§ 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 12th day of February, 1937.

(279)

No. 608.

AN ACT to Authorize and Empower the Trustees of Disputanta School District No. 27, in Spartanburg County, to Use the Unexpended Balance of Nine Hundred and Twenty-Eight and 51/100 (\$928.51) Dollars, Accumulated from the Sinking Fund Levy, and Any Additions to This Balance from Dividends on Funds in Closed Banks and Any Taxes Now Delinquent Representing Sinking Fund Levies on Property in Said School District, for the Purpose of Improving the School Property of Said School District.

Section 1. Disputanta School District No. 27, Spartanburg County, use certain funds improve school property.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Disputanta School District No. 27, in Spartanburg County, be, and they are hereby, authorized to use the unexpended balance of Nine Hundred and Twenty-eight and 51/100 (\$928.51) Dollars, accumulated from the sinking fund levy in said School District, and any additions to this balance from dividends on funds in closed banks and any taxes now delinquent representing sinking fund levies in said School District for the purpose of improving the School property of Disputanta School in said School District.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall go into effect immediately upon its approval by the Governor.

Approved the 9th day of April, 1937.

(174)

No. 609.

AN ACT to Authorize the Trustees of Inman School District No. 26, Spartanburg County, to Withdraw the Sinking Fund of Said District and Invest the Same.

Section 1. Inman School District No. 26, Spartanburg County, withdraw sinking fund—invest.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Inman School District No. 26, of Spartanburg County, be, and they are hereby, authorized to withdraw the Sinking Fund of said District, as and when collected, and may invest the same, as in their judgment they deem for the best interest of the District.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of March, 1937.

(363)

No. 610.

AN ACT to Authorize and Empower the Trustees of Campobello School District No. 49, Spartanburg County, of the State of South Carolina, to Borrow a Sum of Money Not Exceeding Five Thousand (\$5,000.00) Dollars for the Purpose of Building and Equipping a Gymnasium and Making Other Improvements of a Permanent Nature, and to Fix a Tax Levy to Provide for Payment Thereof.

Section 1. Campobello School District No. 49 borrow make improvements, Spartanburg County.—Be it enacted by the General Assembly of the State of South Carolina: That the Trustees of Campobello School District No. 49, Spartanburg County of the State of South Carolina, are hereby authorized and empowered to borrow a sum of money not exceeding Five Thousand (\$5,000.00) Dollars at a rate of interest not exceeding six (6%) per cent per annum for the purpose of building and equipping a gymnasium and making other improvements of a permanent nature in said District. The loan shall be secured by a note, or notes, executed by the Trustees of said School District and the Treasurer of Spartanburg County.

§ 2. **Payment.**—That in order to provide for the payment of said loan and interest thereon there is hereby levied an annual tax upon all the taxable property of said Campobello School District

No. 49, Spartanburg County of the State of South Carolina, sufficient to pay all interest and notes or note due. The principal and interest may be paid semi-annually or annually. The loan must be so arranged that all indebtedness for both principal and interest shall be liquidated within ten years from the date of the issuance of said note or notes, and when said loan is paid, the tax levied for this purpose, shall no longer be levied. It shall be the duty of the Auditor of Spartanburg County to levy the said special tax annually on all the taxable property of the said school District and the duty of the County Treasurer of the said County to collect the tax so levied as other taxes are collected by law, and to pay the principal and interest of said notes as the same severally become due according to the terms thereof.

§ 3. Deposit and disbursement of funds.—That the amount borrowed shall be deposited with the County Treasurer of Spartanburg County to the credit of said School District to be expended upon the warrants or order of the proper school officials for the purpose mentioned in this Act.

§ 4. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 5. This Act shall take effect immediately upon its approval by the Governor.

Approved the 20th day of April, 1937.

(657)

No. 611.

AN ACT to Provide for the Construction, Improvement and Repair of Highways in Spartanburg County, and for the Payment of Indebtedness Heretofore Incurred by Said County for Such Work; to Authorize the Issuance of Bonds of Said County for Said Purposes; to Provide for the Payment of Said Bonds and the Interest Thereon by Means of the Gasoline Tax Distributed to Said County and by Means of a Tax Levy; and to Repeal Act No. 1317 of the Acts of 1936, Relating to the Same Subject.

Section 1. Spartanburg County borrow—issue bonds.—Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Spartanburg County is hereby authorized and empowered to borrow from, or through the Federal Emergency Administration of Public Works, or any other agency of the United

States Government, or any bank, or institution or lending agency, not exceeding Five Hundred Thousand (\$500,000.00) Dollars, to be evidenced by serial coupon bonds, bearing interest not exceeding four per cent (4%) per annum, payable semi-annually or otherwise, the principal of which bonds shall mature during each year, 1938 to 1948 inclusive, in such annual installments and in such amounts as may be fixed and authorized by said county board.

§ 2. Bonds.—That the said bonds shall be issued at such time or times and shall mature at such times and shall be issued in such denominations as may be determined by the county board of Spartanburg County, The bonds shall be signed by the members of the said county board, or a majority thereof, and countersigned by the clerk of the said county board of Spartanburg County, and the seal of the County Board of Spartanburg County shall be affixed to or impressed on each bond; but the coupons on said bonds need not be authenticated otherwise than by a facsimile signature of the County Treasurer. The principal and interest of the bonds may be payable within or without the State of South Carolina. The bonds shall be payable to bearer, but may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer, and the principal thus made payable to the registered holder (unless the last registered transfer shall be to bearer) upon such conditions as the county board of Spartanburg County may prescribe. The bonds shall be delivered upon a basis of not less than par at accrued interest.

§ 3. Payment of bonds.—That so much as is necessary of the gasoline tax distributed to Spartanburg County during the life of said bonds, and for such period thereafter as may be necessary to pay up the same, shall be pledged and used and applied to the payment of the principal and interest on said bonds, notwithstanding any different use of said tax now prescribed. If for any reason whatsoever the gasoline tax is insufficient or unavailable for the prompt payment of said bonds and the interest thereon as they severally mature, then there is hereby pledged in addition to the revenue from the gasoline tax distributed to Spartanburg County, the full faith and credit of Spartanburg County, and there shall be levied annually upon all the taxable property in Spartanburg County, by the County Auditor and collected by the County Treasurer, a sum sufficient to pay the principal and interest on the said bonds as they respectively mature. No bonds shall be issued under this Act, unless and until the County Board of Spartanburg County shall determine by resolution that the gasoline tax to be distributed to Spartanburg County will be

sufficient to pay the principal of and interest on said bonds as such principal and interest become due, without resorting to a property tax. From and after the issuance of said bonds, said gasoline tax distributed to Spartanburg County, shall, as received, be placed in a separate and special fund to be used exclusively for the payment of said bonds and interest; *Provided, However,* That whenever and for so long as the amount of money in said special fund shall be sufficient to pay the amount of all such principal and interest then due or falling due within one year thereafter, it shall not be necessary to make further contributions to said special fund.

§ 4. Use funds improve roads.—The proceeds of said bonds and loans, except as hereinafter set forth, shall be used for the purpose of improving the hereinafter described roads of said County by surface treating same, and for the purchase of tools, machinery, supplies and equipment necessary to complete the surface treating and construction thereof. That the improvement of said roads shall not only include the actual surface treating of same but shall also include the repairing and building of culverts, bridges and approaches thereto. That the Supervisor in improving said roads may, when he deems it advisable for the convenience of the traveling public or deems it economically advisable, deviate from the existing road beds and re-locate same, and, in so doing, he is authorized and directed to reconstruct said roads. Said Supervisor is likewise authorized and directed, whenever he deems it advisable, to regrade any portion of said roads provided to be so improved. The County Board of Spartanburg County is hereby authorized and directed to determine the order in which the roads herein authorized to be improved shall be so improved and surface treated.

§ 5. Tools and machinery—labor.—That the Supervisor of said County may use so much of the proceeds derived from said bonds and loans as he deems advisable, not to exceed Forty Thousand (\$40,000.00) Dollars, for the purchase of tools and machinery to be used in carrying out the provisions of this Act. or to be used in any road work in said County. That the labor employed in improving said roads shall be residents of Spartanburg County, and the said Supervisor is directed to use so much of the labor from the chain gang forces of Spartanburg County as may be available for such use, and for the purposes of this Act the convicts on such chaingang shall be construed to be residents of Spartanburg County.

§ 6. Roads improve.—That the roads to be improved, as herein provided in this Act, are described as follows:

- No.1. Walnut Grove School via Woodruff to Woodruff Bridge.
- No.2. Hobbysville to Cross Anchor.
- No.3. Reidville to Buncombe Road and on to Bennett's Bridge.
- No.4. Pacolet Station to Glenn Springs.
- No.5. Goodjoin Road from Lyman via Holly Springs to Greenville County line.
- No.6. Cannon's Camp Ground Road, from Drayton to Cowpens.
- No.7. Paris Bridge Road to Chesnee-Fingerville Road.
- No.8. Jackson Mill-Wellford Road.
- No.9. Gramlin to Greenville County line by J. H. Mills' Store and gin.
- No.10. Campobello to Greenville County line.
- No.11. From Highway No.29 at Hill Crest to Glendale-Clifton Road.
- No.12. Greer to Pelham.
- No.13. Clifton No. 1 to State Highway No. 29.
- No.14. Jackson Mill to State Highway No. 29.
- No.15. Inman to Mills Gap Road.
- No.16. New Prospect to Campobello.
- No.17. Jackson's Store via Joe Walker School House to Earle Bridge Road.
- No.18. Old Highway No. 8 from Fairmont to Duncan.
- No.19. Inman to New Cut Road, New Cut Road to Goodjoin Road via Collins Mountain.
- No.20. Old Snake Road to Williams Street from Textile School to Arcadia Road.
- No.21. Wellford to Inman.
- No.22. From U. S. No.221 via Mary Louise Mill to Battle Ground Road.
- No.23. Fairforest through Old Camp Wadsworth to U. S. Highway No.29 to Disputanta and Bynum's Store.
- No.24. Landrum to Earle Bridge.
- No.25. From Old No.8 by Poplar Springs to Anderson Bridge.
- No.26. McDowell Cross Road to Fingerville.
- No. 27 Tucapau via Dean Rogers Bridge, Abner's Creek Church to Pelham.
- No. 28 From Appalache to Goodjoin Road.
- No. 29 City limits at Converse Heights to Ben Avon.
- No. 30 Spartanburg-Gowansville Road.
- No. 31 New Prospect Church to Fingerville.

- No. 32 Campton Bridge Road from Inman to Jackson Store and to North Pacolet School and Church.
- No. 33 Goodjoin Road via Grannie Mack Bridge.
- No. 34 Glendale Clifton Road, from No. 2 Hall to Corner's Store
- No. 35 Hillsbridge via Hebron to Woodruff Bridge road.
- No. 36 White Stone to Glen Springs.
- No. 37 Jordan Road from Duncan to Tyger steam plant.
- No. 38 Gap Creek Road from Moores to Old No. 8 Highway at Fairmont.
- No. 39 From Highway No. 29 to Duncan by Duncan School to Buncombe Road.
- No. 40 From North Pacolet school and Church to the New Prospect and Campobello Road at the McClure Place.
- No. 41 Road from Switzer on Federal Highway No. 221 to the Beacon Light on the Georgia Road.
- No. 42 From Glendale Cotton Mill and continue and connect with the Union Road at Delmar.
- No. 43. From Cherokee Springs through Boiling Springs to North Pacolet.
- No. 44 Road running from Mayo by way of Camp's Ginnery to intersect Chesnee-Fingerville Highway at Cooley Springs.
- No. 45 From Buncombe Road through Crescent to Fowler Bridge.
- No. 46 From Walnut Grove on old Blackstock road to No. 56.
- No. 47 From Cowpens-Battleground road by Mary Louise Mill to Spartanburg-Chesnee road.
- No. 48 From Reidville road at old Langford Place through Poplar Springs and Cashville school to Anderson bridge.
- No. 49 From Pauline to Riddle's store on old Blackstock road.
- No. 50 Road from Cherokee Springs through Boiling Springs to John Dodd School.
- No. 51. Road from Fairforest leading through Spartanburg County Farm to the Asheville Highway.
- No. 52 Road from Airport to Roebuck road at Finley's House.
- No. 53 Switzer and Cashville road . . also road from Ball Rock filling station to Moss Mitchell place.
- No. 54 Road leading from Duncan Park to Collins property by Caulder Avenue.

No. 55 Road from Anderson Bridge Road to Anders Store by way of Old Mayfield and McClinton Home Place.

No. 56 Reidville to Duncan Road to intersection of Tucapau Road.

No. 57 Completion of resurfacing Roebuck Road via Madison Dean farm.

§ 7. Deposit and disbursement of funds.—The proceeds of the sale of such bonds shall be deposited with the County Treasurer in a special account to be disbursed by said Treasurer on warrants drawn thereon by the said county board of Spartanburg County, upon properly itemized and sworn statements of the county supervisor.

§ 8. Purchase of machinery, supplies, materials, etc.—All machinery, supplies, materials and equipment necessary for the improvement and surface treating of said highways in connection with the expenditures of the proceeds of the bonds herein authorized to be sold, shall be purchased by the County Supervisor of Spartanburg County, subject, however, to the following provisions and conditions, to wit:

Prior to each purchase of any such machinery, supplies, materials or equipment the said Supervisor shall make-up necessary and adequate specifications and descriptions of the same and file a duplicate thereof in the office of the County Board of Spartanburg County. He shall thereupon advertise for bidders to furnish such machinery, supplies, materials and equipment in one or more of the daily Spartanburg papers and publish the same therein for at least two (2) weeks prior to the date and place of the sale, which shall be specified in such advertisement. The advertisement shall likewise contain a notice to prospective bidders requiring them to make up and file their bids, duly sealed, with the County Supervisor, and a duplicate thereof in the office of the County Board, none of such bids to be opened until the time specified in the notice of sale for the opening of bids. Said advertisement shall further contain a notice to the prospective bidders that all bids are subject to the final approval or disapproval of the said County Board, and the said County Board is hereby given power and authority after the receipt of such bids and the presentation to them by the County Supervisor of his recommendations as to the acceptance or rejection thereof, to accept or reject any and all such bids as may have been made and filed. In the event of the rejection of all bids, new bids

shall be advertised for by the County Supervisor subject to the terms and provisions herein above set forth.

§ 9. Pay \$45,000.00 debt of county highway department.—That, in order to pay the indebtedness of the County Highway Department in the sum of Forty Five Thousand (\$45,000.00) Dollars for work done already on roads and repairing said roads for hard-surfacing, the County Board is directed to transfer to the Highway Account, from the proceeds of the first sale of bonds under this Act, the sum of Forty Five Thousand (\$45,000.00) Dollars to be applied on past indebtedness of the County Highway Department.

§ 10. Accept bid for emulsified asphalt.—That in view of the fact that at an advertised bidding for emulsified asphalt to be used in connection with said hard road-surfacing program held by the County Supervisor on or about July 27, 1936, the Standard Machinery and Equipment Company, Inc., as agent, put in a bid for such emulsified asphalt on the basis of \$0.0875 per gallon by carload lots and \$0.13 per gallon in drum lots, which bid is still open and available for use in such hard-surfacing program, the said County Supervisor and County Board of Spartanburg County are hereby authorized and directed to accept the bid of such bidder as set forth in said bid subject to the specifications set forth therein and in the advertisement, the same to be delivered in carload lots or in drums as may be required by the County at such railroad sidings in Spartanburg County as may be designated by the County Supervisor; *Provided*, it shall be understood as a part of any acceptance of said bid that the product involved shall measure up to the specifications set forth in the advertisement therefor, and, in case any question arises regarding the same, it shall be submitted to any commercial laboratory now testing asphalt materials for the State Highway Department for analysis, and the decision reached under said test shall be binding on both parties.

§ 11. Invalidity.—The sections and provisions of this Act are separable and not matters of mutual essential inducement, and it is intended to confer the whole or any part of the powers herein provided for; and if any of the sections or provisions or parts thereof are for any reason illegal, it is intended that the remaining sections and provisions, or parts, shall remain in full force and effect.

§ 12. Bonds tax exempt.—The said bonds, both as to principal and interest, shall be exempt from all State, County and municipal taxes in the hands of the holders.

§ 13. **Act 1317, 1936 acts, repealed—Spartanburg County borrow.**—Act No. 1317 of the Acts of 1936, approved May 9, 1936 entitled "An Act to Enable and to Empower Spartanburg County to borrow Money from the Federal Emergency Administration of Public Works or from any Agency of the Federal Government or any bank, institution or lending agency, to be used for Certain Projects, and to Pledge the Gasoline Tax therefor' and all Acts or Parts of Acts inconsistent with this Act are hereby repealed.

§ 14. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 27 day of May, 1937.

(442)

No. 612.

AN ACT to Authorize the County Board of Spartanburg County to Use an Amount Not Exceeding Five Thousand Dollars from the Proceeds of a Three-fourth Mill Levy Not Required to Retire Outstanding Notes Authorized Under Act No. 1315, Acts of the General Assembly, 1936, for the Purpose of Erecting Such Additional Building at the County Home as they May Deem Necessary.

Section 1. Erect additional building at Spartanburg County home—fund use.—Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Spartanburg County is authorized and empowered to use the proceeds of the three-fourths of a mill tax levied for the year 1936 and to be levied for the year 1937, in a sum not exceeding five thousand (\$5,000.00) dollars for the purpose of erecting such additional building at the County Home as they deem necessary. *Provided, However,* that the notes issued under the authority of Act No. 1315 Acts of 1936, shall have priority of payment from the proceeds of the said levies, and *Provided, Further,* the said County Board may use the funds from the General Funds of the County not exceeding five thousand (\$5,000.00) dollars for the above described purpose until the taxes collected shall be available for this purpose.

§ 2. **Expenditure of fund.**—The expenditure of this fund shall be governed by similar authority granted the County Board of Spartanburg County as provided in Act No. 1315, Acts of the General Assembly of 1936.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 30th day of April, 1937.

(439)

No. 613.

A JOINT RESOLUTION Authorizing, Empowering and Directing the County Board and County Treasurer for Spartanburg County to Pay to J. D. Johnson and B. W. Johnson the Sum of Twenty-five Hundred Forty-seven and 92/100 (\$2547.92) Dollars, Which Has Been Awarded Them by the South Carolina Industrial Commission by Reason of the Death of J. Vance Johnson.

Whereas, J. Vance Johnson, who was an employee of the Spartanburg County Highway Department, was killed on or about September 25, 1936, while engaged in duties for Spartanburg County, and

Whereas, The South Carolina Industrial Commission held a hearing at the Spartanburg County Court House on January 6, 1937 for the purpose of determining whether or not Spartanburg County was liable for compensation by reason of the death of the said J. Vance Johnson; and

Whereas, The South Carolina Industrial Commission filed an opinion on January 12, 1937, directing that Spartanburg County shall pay to J. D. Johnson, father, and W. B. Johnson, brother, equal sums, representing the commuted worth of three hundred and fifty (350) weekly compensation installments at seven and 68/100 (\$7.68) dollars per week (commutation to be made at time of payment), and that Spartanburg County shall pay all costs in this matter, which said award was amended on January 16, 1937 to read: "At \$8.59 per week" in lieu of "at \$7.68 per week"; and

Whereas, The commuted worth of three hundred fifty (350) weekly compensation installments of eight and 59/100 (\$8.59) dollars per week has been determined to be the sum of twenty-five hundred forty-seven and 92/100 (\$2,547.92) dollars, as of March 1, 1937 and the costs have been determined to be eight and 55/100 (\$8.55) dollars; *Now, therefore*:

Section 1. Spartanburg County pay \$1,273.96 each to J. D. Johnson and B. W. Johnson.—Be it resolved by the General As-

sembly of the State of South Carolina: That the County Board of Spartanburg County is hereby authorized, empowered and directed to issue its warrants to J. D. Johnson and B. W. Johnson in the sum of twelve hundred seventy-three and 96/100 (\$1,273.96) dollars, each, making a total of twenty-five Hundred forty-seven and 92/100 (\$2,547.92) dollars, and the Treasurer of Spartanburg County is hereby authorized, empowered and directed to pay said warrants when properly presented out of any surplus or unappropriated funds of Spartanburg County.

§ 2. Spartanburg County pay South Carolina industrial commission \$8.55 costs.—That the County Board of Spartanburg County is hereby authorized, empowered and directed to issue its warrant to the South Carolina Industrial Commission in the sum of eight and 55/100 (\$8.55) dollars in payment of the costs of the hearing hereinabove referred to and the Treasurer of Spartanburg County is hereby authorized, empowered and directed to pay said warrant when properly presented out of any surplus or unappropriated funds of Spartanburg County.

§ 3. This Resolution shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(621)

No. 614.

AN ACT to Authorize Spartanburg County to Issue Funding and Refunding Bonds for the Payment of Principal and Interest of Outstanding Bonds, and to Provide for a Tax to Pay the Principal and Interest of Such Funding and Refunding Bonds.

Section 1. Spartanburg County issue bonds pay outstanding bonds—bonds maturing June 30, 1938, and July 1, 1938.—Be it enacted by the General Assembly of the State of South Carolina: The County Board of Spartanburg County is hereby authorized to issue funding or refunding bonds of Spartanburg County in an aggregate principal amount not exceeding two hundred thousand (\$200,000.00) dollars, the proceeds of which shall be used by said County Board for the purpose of paying the principal and interest of any outstanding bonds heretofore issued by said County, as such principal and interest may become due. The maturing bonds for the

fiscal year ending June 30, 1938, including maturities of July 1, 1938, are as follows, and the bonds which are authorized to be sold in the above stated amount of two hundred thousand (\$200,000.00) dollars may be used to pay (principal) and interest on any part of the maturing bonds:

Kind of Bond	Date of Issue	Rate	Amount	Maturity Date
Funding & Bridges	1/1/09	4½%	\$25,000.00	Jan. 1, 1938
Highway	1/1/26	4½%	7,000.00	Jan. 1, 1938
Funding	3/1/27	4½%	31,000.00	Mar. 1, 1938
Refunding	4/1/37	3½%	10,000.00	Apr. 1, 1938
Highway	4/1/21	5%	23,000.00	Apr. 1, 1938
Highway	4/1/23	4½%	54,500.00	Apr. 1, 1938
Funding	4/1/21	5%	6,000.00	Apr. 1, 1938
Funding	4/1/22	5%	7,000.00	Apr. 1, 1938
Funding	4/1/23	5%	6,000.00	Apr. 1, 1938
Refunding	4/1/36	3¼%	15,000.00	Apr. 1, 1938
Highway	5/1/25	4½%	9,000.00	May 1, 1938
Highway	5/1/27	4½%	4,000.00	May 1, 1938
General Obligation	5/1/27	4½%	40,000.00	May 1, 1938
Highway	5/1/28	4½%	20,000.00	May 1, 1938
Hospital	5/1/28	4½%	4,000.00	May 1, 1938
General Obligation	5/1/30	4½%	28,000.00	May 1, 1938
Highway	7/1/22	4½%	18,000.00	July 1, 1938
General Obligation	7/1/32	5%	23,000.00	July 1, 1938
Refunding "B"	7/1/33	5%	5,000.00	July 1, 1938
Refunding "A"	7/1/33	4½%	20,000.00	July 1, 1938

GRAND TOTAL

\$355,500.00

Bonds Maturing for the Fiscal Year ending June 30, 1938 and the maturities of July 1, 1938.

§ 2. Bonds—denominations—interest—maturities—register—execution.—That said bonds shall be of the denominations of five hundred (\$500.00) dollars and/or one thousand (\$1,000.00) dollars each. They shall bear interest from their date at a rate of not exceeding five per centum per annum, payable semi-annually. The schedule of maturities shall be arranged by the County Board of Spartanburg County but no bonds shall be issued for more than twenty Years.

The principal and interest of the bonds may be made payable within or without the State of South Carolina, and in such medium of payment as may be indicated on the face of the bonds. The bonds shall be issued as coupon bonds, payable to bearer, but may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer, and the principal thus made payable to the registered holder (unless the last registered transfer shall be to bearer) upon such conditions as the County Board of Spartanburg County may prescribe. The bonds shall be signed by the members of said County Board, or majority thereof, and be countersigned by the Clerk of Court of Spartanburg County, and the seal of the County Board of Spartanburg County shall be affixed to or impressed on each bond; but the coupons of said bonds need not be authenticated otherwise than by a facsimile signature of the County Treasurer.

§ 3. Bonds—sale—exchange.—The said bonds may be sold by the County Board to the highest bidder for cash, upon such advertisement as the County Board shall deem proper. The County Board may reject any and all bids which in their judgment would not be to the best interest of the County, or the said County Board of Spartanburg County may deliver to the holders of maturing bonds of Spartanburg County such bonds in payment of such maturing bonds of Spartanburg County.

§ 4. Bonds tax exempt.—The said bonds shall be exempt from all State, county, school and municipal taxes.

§ 5. Payment of bonds.—The County Auditor of Spartanburg County is hereby authorized and directed to levy annually on all taxable property in Spartanburg County a tax sufficient to pay the principal and interest of all bonds issued under this Act, as such principal and interest respectively become due, and the County Treasurer of Spartanburg County is hereby authorized and directed to collect said tax and apply it to said purpose.

§ 6. All Acts or parts of Act inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 15th day of May, 1937.

(445)

No. 615.

AN ACT to Provide for a Levy of Taxes for School and County Purposes for Sumter County, and to Direct the Expenditures Thereof, and to Fix the Salaries of Certain Officers.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That a tax of five (5) mills is hereby levied upon all taxable property in the County of Sumter, South Carolina, for county purposes for the fiscal year beginning July 1, 1937, (except as herein provided), for all county purposes, including the sinking fund hereinafter provided, to be expended as follows:

Item A. Roads and Bridges:

1. County Roads	\$ 32,000.00
2. City of Sumter	4,000.00
3. Unimproved Rural Routes	150.00
4. Salary, Superintendent of Roads	2,400.00
5. New Road Equipment	2,000.00

Total Item A \$ 40,550.00

Item B. Public Buildings:

1. Water, lights, fuel, etc.	\$ 1,650.00
2. Furniture and fixtures	100.00
3. Repairs to Court House and Jail	600.00
4. Salary, Janitor for Court House.	360.00
5. Insurance with State Sinking Fund Commission	706.31

Total Item B \$ 3,416.31

Item C. Court Expense:

1. Jury pay and Court expense....	\$ 5,000.00
2. Supplies, Court Stenographer ..	10.00
3. Salary, Clerk of Court	3,000.00
4. Salary, Coroner	660.00
5. Inquests, pay of jurors, etc.	450.00

Provided, there shall not be allowed any mileage pay for coroners jurors.

6. Seven (7) Magistrates @ \$25.00 each per month	2,100.00
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7. Lunacy examinations @ \$5.00	
per Physician	700.00
8. Salary, Deputy Clerk of Court .	1,600.00
9. Salary, Stenographer Clérk of Court of Common Pleas	800.00
10. Salary, Magistrate 3rd District .	1,200.00
The Magistrate of 3rd District is hereby authorized to appoint, if necessary and he so desires, an extra constable who shall serve without pay.	
11. Office Rent, Master	100.00
Total Item A	\$ 15,620.00
Item D. Jail:	
1. Sustenance of Prisoners	\$ 3,200.00
2. Salary, Jailor	1,200.00
3. Salary, Cook for Jail	120.00
4. Salary, turnkey	300.00
Total Item D	\$ 4,820.00
Item E. Poor and Needy:	
1. County Home and Paupers	\$ 8,300.00
2. Camp Alice, payable in monthly installments	3,600.00
3. Childrens Home	1,530.00
4. Hospital treatment for paupers, payable in equal monthly in- stallments	6,000.00
5. City Nurse	240.00
6. Vaccination Serums	200.00
7. Vital Statistics	600.00
8. Sumter County T. B. Association (if necessary and employing full time nurse)	600.00
9. Temporary Department Public welfare	
Total Item E	\$ 21,070.00

Item F. Law enforcement:

1. Salary Sheriff	\$ 1,800.00
2. Salary, Deputy to Sheriff (plus fees and mileage) (serving papers in civil cases.)	600.00
3. Salary, four (4) Rural Police-men @ \$160.00 each per month	7,680.00
4. Salary, Chief of Rural Police..	2,220.00
5. Uniforms for Rural Police	300.00
6. Transporting Prisoners	250.00
7. Secret Service	150.00
8. Salary, County Attorney	240.00
9. Salary, Constable Stenographer 3rd District	480.00
10. Gas, and oil to Rural Police (600 gallons of gas and 10 gallons of oil per month)	1,150.00
11. Salary, Constable for 7th District	180.00
12. Salary, Constable for 1st District	240.00

Total Item F \$ 15,290.00

Item G. Administrative:

1. Salary, County Board of Commissioners	\$ 900.00
2. Salary of Fiscal Agent	120.00
3. Salary, Clerk to Board, Provided, however, that the Clerk of the Board shall act as Clerk to the Commission on Court and Jail buildings without extra pay ...	2,000.00
4. Telephone and telegraph	400.00
5. Books, stationery, postage, etc...	2,000.00
6. Travel expenses, Auditor	35.00
7. Salary, Clerk to Auditor (12 months @ \$50.00 per month).	600.00
8. Part salary, Auditor	1,000.00
9. Part salary, Treasurer	1,200.00
10. Salary, Stenographer to Treasurer	1,020.00
11. Tax Assessors	350.00

12. Audit County Records	350.00	
13. Salary, Agent Forfeited Land Commission	684.00	
14. Salary, Tax Collector	2,200.00	
15. Gas and Oil to Tax Collector (100 gallons of gas and 2 gal- lons of oil per month) if so much be necessary	192.00	
16. Salary, Stenographer to Tax Col- lector	720.00	
17. Legal expense as necessary (County Attorney)	600.00	
18. Special office expense, Tax Col- lector	100.00	
Total Item G.		\$ 14,471.60

Item H. Education:

1. Salary, Superintendent of Educa-
 tion\$ 2,400.00

This amount is to include any
amount paid by the State on
the salary of the Superinten-
dent of Education.

2. Sumter County Fair Association 300.00
 Provided, That this sum is to be
 paid over to the American
 Legion to be used by the Ameri-
 can Legion as premiums for
 exhibits of all kinds, especially
 for the purpose of creating in-
 terest in diversified farming
 among the farmers of Sumter
 County; *Provided, however*,
 none of this sum shall be paid
 until the Clerk of County Board
 of Commissioners is furnished
 a statement of receipts and dis-
 bursements of the Sumter
 County Fair Association for
 1936.

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|--|----------|
| 3. Salary, County Board of Education | 102.00 |
| 4. Salary, Assistant Demonstration Agent | 1,200.00 |
| 5. Salary, and travel, Negro Home Demonstration Agent | 300.00 |
| 6. For County-wide Circulating Library Service for White Schools | 2,500.00 |

Of this amount \$2,000.00 shall be used for the purchase of books to be the property of Sumter County, and upon the approval of the Sumter County Legislative Delegation, the said sum of \$2,500.00 may be paid to the Public Library Commission, and used by them in combination with the Carnegie Public Library in establishing a county-wide circulating library service, but if at any time such combination should discontinue, the books belonging to the County shall remain the property of Sumter County.

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|-----------------------------------|----------|
| 7. County Board of Education | 2,000.00 |
|-----------------------------------|----------|

To be used by the County Board of Education for needy schools and an itemized use of same to be reported to Legislative Delegation each year, \$1,000.00 of which shall be immediately available.

Total Item H.	\$ 9,802.00
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Item I. Confederate Pensions:

- | | |
|-----------------------------|-------------|
| 1. Confederate Widows | \$ 1,500.00 |
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Total Item I.	\$ 1,500.00
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Item J. Miscellaneous:

1. Official Bonds	\$ 1,100.00
2. CWA Rent	618.00
3. Election expenses	50.00
4. Board of Trade for advertising Sumter County	800.00
<i>Provided, the City of Sumter ap- propriates a like amount for vertising the Cit y.</i>	
5. Rehabilitation Department Office Rent	120.00
6. W. C. Sinking Funds	1,000.00
7. For advertising tax levies	300.00
7. To be used as necessary in re- copying old "Cuttino Index" ..	400.00
9. Salary, Clerk to County Seed Loan Agent six (6) months @ \$35.00	210.00
10. County Health Unit	1,000.00
11. Salary, County Service Officer... For special expenses of County Agent to be immediately avail- able not to exceed \$100.00	570.00

Total Item J. \$ 6,268.00

The following additional expendi-
tures heretofore made by the
County Board of Commis-
sioners are hereby authorized
and ratified:

Fiscal year July 1, 1935—June 30, 1936:

1. Furniture and fixtures—Court House	\$ 129.90
2. Cottage for sick, Alms House ..	94.57
3. County Home and Paupers	539.14
4. Jail, sustenance of prisoners	1,026.92
5. Books, stationery, postage, etc. ..	203.53
6. Lunacy, examinations @ \$3.00 per physician	176.00
7. Extra gas to officer Dollard	30.00

8. Official Bonds	239.50
9. Rural PoliceSalavage Expense ..	3.00
10. Special expense, enforcing dog innoculation Act (1935)	105.00
11. Salary, Constable 7th District...	150.00

Total	\$ 2,697.56
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Fiscal Year July 1, 1936—June 30, 1937:

1. On construction of cottage for sick at Alms House	\$ 25.63
2. Furniture and Fixtures—Alms House	73.20
3. Road and Gang Equipment	643.14
4. County Audit (cost of audit \$350.00)	50.00
5. To extra help in posting tax executions in tax collector's Office	97.00
6. Extra clerical hell—Tax Collec- tor	250.00
7. Increase in salary, Tax Collector	133.28
8. Gas and oil to Tax Collector (100 gallons of gas and 2 gallons of oil per month)	192.00
9. Increase in salary—stenographer to tax collector	80.00
10. Furniture and Fixtures, Court House	489.46
Typewriter (tax col- lector)	42.50
Lock file (tax collec- tor)	96.96
1 Calculator)trea- surer)	350.00
11. Temporary State Department of Public Welfare (January & February)	150.00
12. Four Rural Police	500.00
13. Chief Rural Police	125.00

14. Clothes for Inmates at Alms	
House	165.23
15. Dog Innoculation Expense	105.00
Total	\$ 3,078.96

§ 2. The amount herein provided for the salary of the Sheriff, Treasurer and Clerk of Court shall be in lieu of all fees, and the amounts herein provided shall be the salaries of said officers for all of their services for the fiscal year commencing July 1, 1937.

§ 3. The Game Warden for Sumter County shall be recommended by the Executive Committee of the local chapter of the South Carolina Game and Fish Association, and upon such recommendation to the Delegation, the Delegation shall transmit the same for appointment as provided by law.

§ 4. The above accounts shall be kept separate and expended for the purpose for which appropriated; and the said County Board of Commissioners shall not expend or contract to expend under any general item any sum greater than the amount for such general item herein appropriated, except with the approval of a majority of the County Delegation, and no account against the County shall be approved or paid except a properly authorized expenditure by the County Board except the items to be paid by the Sumter Commission on Court House and Buildings and Grounds, upon an itemized and sworn statement of the amount being filed and kept on file.

§ 5. In purchase of supplies for the County of Sumter, preference shall be given to farm produce, supplies and materials grown or manufactured in Sumter County, quality and price being equal.

§ 6. In anticipation of the tax herein levied, the County Board of Commissioners is authorized to borrow such sum or sums as may be necessary, not exceeding the revenue arising hereunder, at the best obtainable rate of interest and return any loan so made from the revenue herein provided as the same may become available.

§ 7. The County Board of Commissioners shall publish in at least two newspapers published in said County a consolidated statement of all receipts and disbursements annually, as of July 1st of each year.

§ 8. The County Board of Commissioners shall furnish 100 gallons of gasoline and 2 gallons of oil per month to each rural policeman from the county gas and oil, plus an additional 100 gallons of gasoline per month to one rural policeman, if the County Commis-

sioners, so desire. *Provided*, each of said policemen shall certify that such gas and oil previously so furnished to such policeman was used solely for county business.

§ 9. That after the expiration of the seven (7) months' school term as provided for by law, the tuition charges for the remainder of the school term for high school pupils who come from non-high school districts shall be paid by the District Board of Trustees of said non-high school districts, from the school funds of their respective districts, and in case there are no funds available for this purpose, then the school trustees of such districts of the County Superintendent of Education shall authorize and direct the County Auditor, not later than July 1, to add a levy to the general school levy of such district sufficient to pay such tuition, and the same shall be collected as other taxes are, and shall be paid out by the said trustees on order of the County Board of Education.

§ 10. That the County Auditor, upon the request of the County Board of Education of Sumter County, shall raise or reduce the present levy in the school districts to such an amount as will take care of the needs of the said school district for school purposes.

§ 11. The Auditor of the County shall raise the levy herein provided for as may be necessary to raise the amount herein appropriated.

§ 12. The County Treasurer is hereby directed to arrange the interest-bearing dates of all permanent road funds which he may have on deposit in the banks of Sumter County, so that the interest on such deposits shall mature a sufficient length of time prior to the due dates of the County bonded obligations, for said Treasurer to remit the required amount of his bonded debt to New York without losing interest on his deposit; the purpose of this provision being that the County will obtain the maximum amount of interest possible on its deposits: *Provided, however*, That if the said banks in which the said County Treasurer may have his deposits refuse to arrange the interest-bearing dates of said deposits as they may be requested by the Treasurer of Sumter County, then the Treasurer of Sumter County is authorized and directed to borrow for short periods of time, at a rate of interest not to exceed the rate being paid on said deposits, as sufficient amount of money to meet the County bonded obligations when due, and in order to secure the payment thereof by an assignment of said funds on deposit in said banks.

§ 13. The County Auditor is hereby directed to deliver the tax books to the County Treasurer not later than the 1st day of September of each year.

§ 14. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 15. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(277)

No. 616.

AN ACT to Provide for the Levying of Taxes for County Purposes for Union County, for Redemption of Bonds Falling Due, Coupons Due on Bonds, for Interest on Borrowed Money, for Appropriations Herein Made From Tax Levy and Other Sources of Income and for the Continuation of Same Until Amended and/or Repealed by Proper Authority.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: A tax levy of six (6) mills, if so much be necessary, is hereby levied on all the taxable property in Union County for the fiscal year beginning July 1, 1937 and continuing to July 1, 1938, for the purpose of applying the amount with other income resources towards the payment of the appropriation hereinafter set forth for the fiscal year beginning July 1, 1937 and continuing until July 1, 1938, and thereafter until repealed.

§ 2. For roads, bridges and chaingang:

(a) Upkeep of road machinery..	\$ 5,500.00
(b) Bridges and Bridge repairs..	2,500.00
(c) Top Soil to be purchased....	2,000.00
(d) Gasoline, oil, grease	8,000.00
(e) Feeding, clothing, housing of convicts	7,000.00
(f) Farming and fertilizers	300.00
Total	\$ 25,300.00

§ 3. For Salaries and Wages:

(a) Sheriff	\$ 1,920.00
(b) Deputy Sheriff	1,920.00
(c) Deputy Sheriff	1,920.00
(d) Deputy Sheriff	1,920.00
(e) Deputy Sheriff	1,920.00

(f) Deputy Sheriff (Part time) ..	1,020.00
(g) Clerk of Court (Criminal Work)	450.00
(h) Auditor	1,560.00
(i) Clerk to Auditor	1,020.00
(j) Treasurer	1,560.00
(k) Clerk to Treasurer	1,020.00
(l) Deputy to Clerk of Court...	1,020.00
(m) Clerk to Probate Judge and Master	1,020.00
(n) Superintendent of Education	1,800.00
(o) Clerk to Superintendent of Education	1,020.00
(p) Coroner	720.00
(q) Supervisor	1,800.00
(r) Clerk to Supervisor	1,500.00
(s) Member Governing Board...	300.00
(t) Member Governing Board ..	300.00
(u) Member Governing Board ..	300.00
(v) Member Governing Board ..	300.00
(w) Practical Nurse at County Home	1,200.00
(x) Farmer at County Home....	1,200.00
(y) Captain Chain Gang	1,200.00
(z) Road Overseer	900.00
(aa) Road Overseer	900.00
(bb) Road Overseer	900.00
(cc) Road Overseer	900.00
(dd) Road Overseer	900.00
(ee) Road Overseer	900.00
(ff) Road Overseer	900.00
(gg) Road Overseer	900.00
(hh) Guard of Convict Camp	900.00
(ii) Mechanic at Convict Camp.	1,380.00
(jj) Service Officer	1,680.00
(kk) County Physician	500.00
(mm) County Attorney	420.00
(nn) Health Officer	300.00
(oo) Janitor at Court House....	900.00

 Total

\$ 43,190.00

§ 4. Magistrates and Constables :

(a) Magistrate at Union Court	
House	\$ 1,800.00
(b) Magistrate at Jonesville.....	264.00
(c) Constable at Jonesville	132.00
(d) Magistrate at Lockhart	165.00
(e) Constable at Lockhart	110.00
(f) Magistrate at Monarch	165.00
(g) Constable at Monarch	100.00
(h) Magistrate at Carlisle	264.00
(i) Constable at Carlisle	198.00
(j) Magistrate at Cross Keys...	110.00
(k) Constable at Cross Keys.....	55.00
(l) Magistrate at Santuc	110.00
(m) Constable at Santuc	55.00
(n) Magistrate at Buffalo	231.00
(o) Constable at Buffalo	110.00
Total	\$ 3,869.00
§ 5. Board of Equilization	600.00
§ 6. Jail expenses, including dieting and safeguard-	
ing of prisoners	2,500.00
<i>Provided</i> , the sheriff shall be allowed fifty	
(50¢) cents per day, each prisoner, for dieting	
prisoners.	
§ 7. Circuit Courts	\$ 4,500.00
Expenses for only the regular terms. <i>Provided</i> ,	
that Grand Jurors and Petit Jurors shall be	
paid at the rate of \$3.00 per day, and shall	
receive mileage at the rate of five cents per	
mile one way, the Court crier and bailiffs shall	
receive not exceeding \$2.50 each, per day, the	
jury boy shall receive not exceeding \$1.50 per	
day. The presiding Judge during terms of	
Circuit Court may appoint a Court attendant	
who shall receive not exceeding \$2.50 per day.	
§ 8. Post Mortems and Lunacies	\$ 750.00
§ 9. Public buildings, heating, lighting, power, water,	
telephone, repairs, and janitor	2,500.00
§ 10. Honorariums:	
(a) Confederate Soldiers	600.00

(b) Rehabilitations	500.00
(c) Three Military Companies	900.00
<i>Provided, however, immediately upon one or more of the military companies evacuating present quarters and moving into the armory, which is at present under construction by the Works Progress Administration, the unexpended portion of the appropriation for the Company and/or Companies aforementioned shall be credited to any account designated by two of three members of the Legislative Delegation. In no event shall rent be paid by the County for or to the Company and/or Companies moving into the armory.</i>	
(d) Completion Erection Union Armory	\$ 500.00
(e) Erection Lockhart Armory	1,750.00
(f) Hard Wood Floor Union Armory	600.00
(g) Hard Wood Floor Lockhart Armory	600.00
(h) Widows of Confederate Veterans	2,500.00
<i>Provided, Each Widow of Confederate Veteran on Roll of Union County shall receive \$5.00 per month.</i>	
(i) Wallace Thompson Hospital	1,800.00
(j) Community Hospital	600.00
(k) Brick for Community Hospital	240.00
(l) County Homes (outside)	600.00
<i>Provided, This appropriation shall cease when funds are available for this purpose from Social Security Legislation.</i>	
(m) Red Cross and/or Associated Charities ..	240.00
<i>Provided, This appropriation shall cease when funds are available for this purpose from Social Security Legislation.</i>	
(n) County Home	5,000.00
§ 11. Books, Stationery, Office Supplies	2,000.00
<i>Provided, The different County Officers shall have authority to buy the public books for their respective offices.</i>	
§ 12. Vital Statistics	\$ 300.00

§ 13. Insurance Premiums on Officers Bonds.....	2,500.00
§ 14. R. C. Williams, Clerk of Court	50.00
<i>Provided, however, if so much be necessary for the purchase of a typewriter, which shall be and remain the property of Union County.</i>	
§ 15. County Agent.....	1,000.00
<i>Provided, however, if so much be necessary for the purchase of eight stock cattle in accordance with the provisions contained in the County Supply Act.</i>	
§ 16. Office Expenses—National Re-employment office	300.00
§ 17. Sewing Room, Rent, Light, Heat	420.00
§ 18. Works Progress Administration Office Rent....	450.00
§ 19. Rent for County Agent.....	300.00
§ 20. Rent for Resettlement Office	60.00
§ 21. Audit of Union County Books.....	600.00
§ 22. Repairs to Public Buildings	1,000.00
<i>Provided, if so much be necessary in accordance with findings and recommendations of Union County Grand Jury. The said repairs to be authorized and made by the Union County Governing Board.</i>	
§ 23. Equipment for Sheriff's Office.....\$	787.34
Federal Laboratories, Inc., Pittsburgh, Pennsylvania.	
§ 24. Balance Lower Union-Lockhart Road.....	3,783.35
§ 25. Anticipated Income:	
(a) Commutation Road Tax	1,400.14
(b) Gasoline Tax	10,974.70
(c) Fines, Licenses, Clerk of Court	4,826.87
(d) Fines from Magistrates' Courts	
(e) Insurance Fees and Licenses	3,609.13
(f) Forfeitures, Sheriff's Sales	
(g) Miscellaneous Collections	1,820.92
(h) Delinquent Taxes	38,089.57
(i) Beer and Wines	1,635.48
(j) Alcoholic Liquors	4,158.61
§ 26. To redeem and pay serial bonds falling due, coupons on county-wide debts, and the costs	

of same, during the fiscal year beginning July 1, 1937 and ending June 30, 1938, a levy of four (4) mills is hereby levied on all the taxable property in Union County to meet and pay the same, that is to say:

- (a) Funding building and bridge bonds, coupons and commissions\$ 12,516.25
- (b) Funding past indebtedness bonds, coupons and commissions\$ 20,339.50

§ 27. The Clerk of Court is hereby constituted and declared to be *ex-officio* the official custodian of the Union County Court House and its curtilage, and he is hereby invested with all the powers and charged with all the duties, provided and/or prescribed by law therefor. The Clerk of Court is hereby authorized and directed to appoint the janitor of the Union County Court House and such janitor shall be under the supervision of the Clerk of Court.

§ 28. The office of County Bookkeeper is hereby abolished and in lieu thereof there shall be and is hereby established a Clerk to the Supervisor, who shall be appointed by the Supervisor to assist him in the performance of his duties. The Clerk to the Supervisor shall be *ex-officio* Secretary of the Union County Governing Board.

§ 29. The Supervisor shall have the powers and perform the duties heretofore provided and prescribed by law for the County Bookkeeper, except as otherwise specifically provided in this Act. The Supervisor shall also have the powers and perform the duties now provided and prescribed by law for the Supervisor and he shall make weekly inspection of all public roads and public buildings in Union County and report his findings and recommendations to each meeting of the County Governing Board, and have the same inserted in writing on the minutes of each meeting. The Supervisor is hereby authorized to enter into emergency purchases not exceeding fifty (\$50.00) dollars.

§ 30. J. Boyd O'Shields is hereby named, constituted and appointed the captain of the Union County chaingang at a salary of \$100.00 per month, and he is hereby authorized, empowered and directed to use the prisoners of the county for the upkeep and maintenance of all county roads; with the right and authority of employing and/or discharging road overseers at a salary of \$75.00 per month, each, and a guard of the convict camp at a salary of \$75.00 per month, and a mechanic at the convict camp at a salary of \$115.00

per month; and he shall be held responsible for the upkeep and maintenance of all county roads. *Provided*, In the event a vacancy should occur in the office of captain of the Union County chaingang by death, resignation or otherwise, such vacancy shall be filled by a majority of the Union County Delegation.

§ 31. The Superintendent of the Inmates of the County Home shall be a graduate trained nurse, duly certified, and with practical experience, who shall reside at the County Home and be in charge of the premises and inmates under such rules and regulations the Supervisor and County Governing Board shall make and promulgate for the government of the County Home and of the inmates thereof. The term of office of the Superintendent of the Inmates of the County Home shall be for a term of two years and until her successor shall have qualified, and shall begin on July 1, 1937. The Superintendent of the Inmates of the County Home shall be elected by a majority of the Union County Advisory Board and the Supervisor.

§ 32. The Superintendent of the County Home Farm shall be a farmer with practical experience, who shall control, manage and operate the farm at the County Home under such rules and regulations the Supervisor and County Governing Board shall make and promulgate for the operation of the farm at the County Home and for the accounting of the profits thereof, which shall remain the sole and exclusive property of Union County. The term of office of the Superintendent of the County Home Farm shall be for a term of two years, and until his successor shall have qualified, and shall begin on July 1, 1937. The Superintendent of the County Home Farm shall be elected by a majority of the Union County Advisory Board and the Supervisor.

§ 33. For the purpose of improving the grade of cattle and encouraging the cattle industry in Union County, the County Agent of Union County is authorized and directed to purchase at a cost not exceeding one thousand (\$1,000.00) Dollars, eight (8) pure bred stock bulls, and for said purpose the sum of one Thousand (\$1,000.00) dollars if so much be necessary, is hereby appropriated. Of the animals so purchased, said County Agent shall place, keep and maintain one (1) in each township of said County for the use of the farmers residing therein.

§ 34. That said County Agent is authorized and empowered to promulgate, prescribe and enforce all such rules and regulations as

he may deem necessary for the handling, upkeep and service of said animals, to fix the fees and charges therefor and collect and disburse the same for the aforesaid purposes.

§ 35. It shall be unlawful for the Supervisor to write his voucher on any account and/or appropriation herein made to pay insurance premiums on school buildings or to pay any school activity whatsoever. This expense must be borne by the various school districts and/or school funds from other sources.

§ 36. The Magistrates and Constables shall be paid only after the Magistrates' Docket or calendars have been submitted to the Governing Board for audit by the Supervisor and the payment of all fines and/or forfeitures are receipted for by the County Treasurer, said books to be submitted on or before the fifteenth of each month and payment of salaries made as of the first of the month before said audit. It shall be unlawful for the Supervisor to issue a voucher in payment of any Magistrate's salary until said Magistrate has placed in the hands of the Supervisor a statement for the previous month, sworn to by the aforesaid Magistrate before a Notary Public, giving the name of each person fined in his court and the amount of the said fine.

§ 37. The Auditor, who is to audit the books of the County Officials, shall be elected by a unanimous vote (all three) of the three members of the Legislative Delegation. *Provided, However,* The person or firm elected must be a certified public accountant. The Auditor shall be paid after completion of the work and delivery of the audit. The original of the audit shall be filed with the Clerk of Court, who shall keep it on file as a public audit. The expenses for said audit shall be charged to any account designated by two of the three members of the Legislative Delegation.

§ 38. In all matters of election of various officers and/or clerks, etc., by the Legislative Delegation, the word "majority" shall be construed to mean any two of the three members of the Legislative Delegation in the General Assembly. On questions of policy and appropriations of the County and for the public good, the word "majority" shall be construed to mean the Senator and one member of the House of Representatives.

§ 40. The laws herein written are cumulative and in addition to those already applicable to the government of Union County, except wherein there be a conflict therewith or inconsistent thereto, and in

that event the laws herein written are paramount, ruling and controlling and all laws and /or parts of laws in conflict herewith are hereby repealed. This Act insofar as the appropriations and change in existing laws are concerned is continuous and continuing into the future until a change by repealing Act or written authority of all three members of the Union County Delegation in the General Assembly.

§ 41. This Act shall take effect immediately upon its approval by the Governor.

Approved the 8th day of April, 1937.

(579)

No. 617.

AN ACT to Amend an Act Entitled "An Act to Provide for the Levying of Taxes for County Purposes for Union County, for Redemption of Bonds Falling Due, Coupons Due on Bonds, for Interest on Borrowed Money, for Appropriations Herein Made from Tax Levy and Other Sources of Income and for the Continuation of Same Until Amended and/or Repealed by Proper Authority." Passed by the 1937 Session of the General Assembly, so as to Add an Additional Item of Appropriation in Section 10 of Said Act for the Salvation Army.

Section 1. Act 616, 1937 Acts, amended—appropriation for Salvation Army, Union County.—Be it enacted by the General Assembly of the State of South Carolina: That Section 10 of an Act Entitled, "An Act to Provide for the Levying of Taxes for County Purposes for Union County, for Redemption of Bonds Falling Due, Coupons Due on Bonds, for Interest on Borrowed Money, for Appropriations Herein made from Tax Levy and other Sources of Income and for the Continuation of Same Until Amended and/or Repealed by Proper Authority", passed by the 1937 Session of the General Assembly be, and the same is hereby, amended by adding at the end of said Section an additional Item to be designated as sub-division (o), as follows:

"(o) For the Salvation Army\$300.00)"

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 14th day of May, 1937.

(235)

No. 618.

AN ACT to Authorize Union County to Issue Bonds not to Exceed One Hundred Fifty Thousand Dollars for the Purpose of Funding and Paying Past Indebtedness, and to Reimburse the Treasury for Funds Lost in Bankrupt Banks, and to Levy a Tax Therefor.

Section 1. Union County issue bonds pay debts.—Be it enacted by the General Assembly of the State of South Carolina: That the County Supervisor and the County Treasurer of Union County be, and they are hereby, authorized and empowered to issue coupon bonds of Union County in the aggregate amount of not exceeding One Hundred and Fifty Thousand (\$150,000.00) Dollars, for the purpose of funding and paying past indebtedness, and to refund and reimburse the Treasury or Treasurer for the amount of funds that have been lost in bankrupt banks, and which have been charged off of the County books.

§ 2. Bonds.—The said Bonds shall be issued in One Thousand (\$1,000.00) Dollar denomination, and they shall bear interest from their date at a rate of interest not exceeding four (4%) per centum, per annum, payable semi-annually. The said Bonds shall be serial, and shall mature in multiples of One Thousand (\$1,000.00) Dollars, the first of which maturities shall be due and payable not more than two years from their date, and the last maturity shall be due and payable not more than twenty (20) years from their date. Such annual series or maturities may be equal or unequal in amount. The Bonds shall be in coupon form, payable to bearer, but may be issued with the privilege to the holder of having them registered as to principal only on the books of the County Treasurer. The Bonds shall be signed by the County Supervisor and the County Treasurer, and the seal of Union County shall be impressed thereon, but the coupons need not be authenticated otherwise than by a facsimile signature of the County Supervisor. The principal and interest of said Bonds may be made payable within or without the State of South Carolina; and the authorized officers may sell them at private or public sale, but at not less than par value.

§ 3. Use of proceeds.—The County Treasurer shall receive the proceeds of the sale of these bonds, and he is hereby authorized and directed to reimburse or credit the Ordinary County account with the amount of losses of funds in bankrupt banks which have been heretofore charged to the account, and such funds as remain shall

be placed to the credit of a Past Indebtedness Account, against which will be charged such items of past indebtedness as the County Advisory Board may direct paid, including notes, accounts and coupons.

§ 4. **Bond exempt from taxes.**—The said Bonds shall be exempt from all State, County, School and Municipal Taxes in South Carolina.

§ 5. **Payment.**—The County Auditor of Union County is hereby authorized and directed to levy annually upon all of the taxable property in Union County a tax in an amount sufficient to pay the principal and interest on these Bonds as it becomes due, and the County Treasurer is authorized and directed to collect such taxes, and apply the same for this purpose.

§ 6. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 7. This Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of March, 1937.

(495)

No. 619.

AN ACT to Authorize the School Trustees of Putnam School District, District No. 22, to Order and Hold an Election for the Purpose of Issuing Coupon Bonds for School Purposes.

Section 1. Putnam School District No. 22 issue bonds for school purposes if election thereon favorable, Union County.—Be it enacted by the General Assembly of the State of South Carolina: That the School Trustees of Putnam School District, District No. 22, County of Union and State of South Carolina, be, and they are hereby, authorized and empowered to issue and sell coupon bonds of said School District in the sum of not exceeding Three Thousand, Three Hundred (\$3,300.00) Dollars, or so much thereof as they may deem necessary for the purpose of acquiring additional property, erecting or enlarging building or buildings, and purchasing equipment for public schools in said School District, or for paying any indebtedness incurred for said purposes; *Provided*, That a majority of the voters of said School District voting thereon at an election as hereafter provided shall vote in favor of issuing said school bonds.

§ 2. **Election.**—That for the purpose of determining whether or not school bonds shall be issued, as provided in Section 1, the School

Trustees of Putnam School District, District No. 22, shall order an election to be held at such place or places in said School District as may be designated, in which election only qualified electors residing in the School District shall be allowed to vote; and said School Trustees shall give such notice of such election as they shall deem necessary and proper: *Provided*, That such notice shall appear at least once ten (10) days prior to the date of such election in a newspaper published in Union County. Such notice shall state the question to be voted upon, shall state the time and place or places at which said election shall be held. Said School Trustees shall likewise appoint the managers of such election, receive the returns and determine the results.

§ 3. Ballots.—The School Trustees of Putnam School District, District No. 22, shall have printed and provided for the use of the voters a sufficient number of ballots, which shall be placed at the voting place or places, on which shall be printed the words, "For the issue of School Bonds", and the words, "Against the issue of School Bonds;" and the voters voting for the issue of the bonds shall strike out the words, "Against the issue of School Bonds", and the voters against the issue of bonds shall strike out the words, "For the issue of School Bonds".

§ 4. Bonds—issuance—maturities—sale—interest.—If a majority of the votes cast at said election shall be in favor of issuing said bonds, the School Trustees shall issue said bonds as serial bonds, the first of which shall mature during the year 1938 and end with the year 1957; the amount to mature in any one year shall be at the discretion of and determined by the School Trustees. Said bonds shall be sold at public or private sale at not less than par and accrued interest, and the proceeds therefrom shall be used for the purposes mentioned in Section 1. hereof: *Provided*, That said bonds so sold shall not bear a rate of interest in excess of four (4%) per centum per annum, payable semi-annually, and the principal and interest thereof shall be payable at such time and places as said School Trustees may prescribe.

§ 5. Bonds—execution.—That said school bonds shall be signed by the chairman of the Board of School Trustees and countersigned by the Secretary; *Provided*, That the signatures of the Chairman and the Secretary may be lithographed or engraved upon the coupons attached to such bonds, and such lithographed or engraved signatures shall be a sufficient signing thereof.

§ 6. **Bonds tax exempt.**—That said bonds when issued shall be exempt from taxation for State, County and Municipal purposes.

§ 7. **Payment of bonds.**—That the officers of Union County charged with the assessment and collection of taxes shall, at the direction of the School Trustees of Putnam School District, District No. 22, levy and collect such a tax annually upon all property, real or personal, within Putnam School District, District No. 22, as will raise a sum sufficient to pay the interest and principal on said bonds, as the same shall become due.

§ 8. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 9. This Act shall become effective immediately upon its approval by the Governor.

Approved the 4th day of May, 1937.

(512)

No. 620.

AN ACT to Provide for the Payment of One-Third (1/3) of the Total Cost of Construction of a New School Building and/or Improvements and/or Alteration to Old School Building in the Weaker School Districts in Union County, and Providing a Tax Levy Therefor.

Section 1. Tax levy aid weak school districts erect, improve and alter buildings, Union County.—Be it enacted by the General Assembly of the State of South Carolina: A tax levy of thirty-four one-hundredths (.0034) of a mill is hereby levied on all the taxable property of Union County for the purpose of assisting weaker school districts in the erection of new school buildings and/or the improvement and/or the alteration of old school buildings.

§ 2. **Deposit and disbursement.**—The funds derived from the tax levy provided for in Section 1 hereof shall be set up in a separate school account in the Treasurer's office of Union County, and shall be expended upon the presentation to the Treasurer of a voucher signed by the County Superintendent of Education and, at least one member of the County Board of Education; *Provided, however,* That not more than fifteen hundred (\$1,500.00) dollars shall be allocated or spent for the purpose of erection and/or improvement and/or the alteration of any one school building.

§ 3. **Vouchers.**—The voucher set forth in Section 2 hereof shall have attached thereto an affidavit signed by the County Superintendent

ent of Education and, at least one member of the County Board of Education, stating that two-thirds ($\frac{2}{3}$) of the total cost of the construction of a new building and/or the improvement and/or the alteration of an old school building has been supplied by the weaker school district wherein the construction and/or improvement and/or alteration is being made, or from some other source.

§ 4. **Not to divert.**—It shall be unlawful for any funds to be expended from this levy for any purpose other than is designated in Sections 2 and 3 of this Act.

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(284)

No. 621.

AN ACT to Provide for the Construction of a Certain State Highway in Union County Pursuant to Reimbursement Agreement or Agreements Between the State Highway Commission and Union County, to Authorize the Making of Such an Agreement or Agreements and the Issuance of Union County Bonds for Said Purpose and to Provide for the Payment of Said Bonds.

Section 1. Union County issue bonds construct certain state highway.—Be it enacted by the General Assembly of the State of South Carolina: The Governing Board of Union County be, and the same is hereby, authorized to issue serial bonds of Union County, upon the conditions hereinafter stated, for the purpose of raising moneys for financing the construction of a certain State Highway or section thereof hereinafter designated.

§ 2. **Bonds.**—Said bonds shall bear interest at a rate not exceeding four and one-half per centum ($4\frac{1}{2}\%$) per annum, payable semi-annually, and shall mature at such time or times not exceeding twenty (20) years from date of said bonds, and shall be issued in such form and denomination as the Delegation from Union County in the General Assembly may direct in writing. The said bonds shall be signed by such County officials as shall be designated by the Delegation from said County in the General Assembly, and the seal of the Governing Board of Union County shall be affixed to or im-

pressed upon the said bonds. The delivery of the bonds shall be valid notwithstanding any change in officials or seal occurring after the execution of the bonds. The bonds shall be sold for not less than par and accrued interest. They shall be sold upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale. The award shall be made to the highest bidder but the County shall have the right to reject all bids and readvertise the bonds for sale.

§ 3. Enter into reimbursement agreement with state highway commission.—No bonds shall be issued under this Act unless and until the Governing Board of Union County shall have previously entered into an agreement on behalf of such County with the State Highway Commission of South Carolina whereby the State Highway Commission shall have agreed to reimburse and repay said County for the moneys to be advanced by the County to the State Highway Commission pursuant to said agreement. The amount of bonds to be issued shall not exceed the amount necessary, as estimated by the State Highway Commission or the Chief Highway Commissioner, which amount shall be set forth in the reimbursement agreement. The said Governing Board of Union County may, by the terms of said agreement, agree to advance to the State Highway Commission moneys necessary for the purpose of this Act and the said Highway Commission may agree to reimburse and repay said County for all moneys so advanced. The said Governing Board of Union County and the State Highway Commission shall have all powers necessary to enable them to carry out said agreement. The State Highway Commission shall reimburse and repay said County as aforesaid out of the funds authorized by other laws to be used for the construction of the State Highway System and so much of said funds as may be necessary for the purpose of making such reimbursement is hereby pledged irrevocably for said purpose (and said pledge is hereby made a part of the contract between said County and the holders of said bonds), except the money needed in order to make the payments to which said funds may have been previously pledged. All moneys paid or reimbursed to the County by the State Highway Commission pursuant to the provisions of this Act are hereby pledged irrevocably for the purpose of paying the principal and interest of the bonds authorized to be issued pursuant to this Act. This pledge is hereby made a part of the contract between said County and the holders of said bonds. In fixing the time or times of maturity of said bonds the Governing Board of Union County shall consider the probable

amounts to be received each year by way of reimbursement as aforesaid, and shall endeavor to arrange the times of maturity of said principal so that the levy of a tax will not be necessary in order to pay said principal.

§ 4. State highway commission agree pay certain interest on bonds.—In addition to agreeing to repay and reimburse the principal sum of money to be advanced by the County as aforesaid, the State Highway Commission is hereby authorized and empowered to agree to repay and reimburse such interest on said bonds as may become due on and after the date or time that the road herein designated would have been constructed by the State Highway Commission in a normal course of construction and without means provided by this Act, such time or times to be determined by the State Highway Commission.

§ 5. Payment of bonds.—The full faith, credit and taxing power of Union County are hereby irrevocably pledged for the punctual payment of the principal and interest of said bonds as such principal and interest become due. The County Auditor of Union County is hereby authorized and directed to levy annually on all taxable property of such County a tax sufficient to pay said principal and interest as they respectively become due and the Treasurer of Union County is hereby authorized and directed to collect said tax and apply it to said purpose. But all moneys received by the County from the State Highway Department by way of reimbursement under the agreement herein provided for shall be applied to the payment of said principal and interest and to the reduction of said tax. It is the intention of this Act that all bonds issued hereunder shall be direct and general obligations of Union County, payable primarily by means of a property tax.

§ 6. Bonds tax exempt.—All bonds issued under the provisions of this Act shall be exempt from all state, county or municipal taxes.

§ 7. Type of construction.—The construction herein authorized shall include hard surface construction as determined by the State Highway Department.

§ 8. "Highway" and "road" defined.—The term "highway" or "road" as used in this Act shall include bridge and drainage structures.

§ 9. Highway construct.—The highway, together with necessary bridges, to be constructed with funds made available under the provisions of this Act is, namely: State Highway No. 92 from a

point approximately 8.2 miles west of Union to the Spartanburg County line near Cross Anchor.

§ 10. No effect on act 984, 1936 Acts—bonded indebtedness of state highway department and state highway commission.—The provisions of this Act shall not affect the provisions of Act No. 984, Acts of the General Assembly of 1936, which prohibits the State Highway Commission and/or the State Highway Department from incurring or assuming any bonded indebtedness in excess of the aggregate principal indebtedness of the said Commission and/or Department as of the first day of January, 1934.

§ 11. Repeal.—All Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed to the extent of such inconsistency. This Act shall not be construed to be inconsistent with or repealing any other Act or Acts authorizing the issuance of bonds or other obligations for the purpose for which bonds are hereby authorized to be issued, but shall be held and construed to be cumulative thereto.

§ 12. Time effective.—This Act shall take effect immediately upon its approval by the Governor.

Approved the 8th day of April, 1937.

(75)

No. 622.

AN ACT to Authorize the School Trustees of Union School District No. 11 to Order and Hold an Election for the Purpose of Issuing Coupon Bonds for School Purposes.

Section 1. Union School District No. 11, Union County, issue bonds for school purposes if election favorable.—Be it enacted by the General Assembly of the State of South Carolina: That the School Trustees of Union School District No. 11, County of Union and State of South Carolina, be, and they are hereby, authorized and empowered to issue and sell coupon bonds of said School District in the sum of not exceeding Forty-six Thousand (\$46,000.00) Dollars, or so much thereof as they may deem necessary for the purpose of acquiring additional property, erecting or enlarging building or buildings, and purchasing equipment for public schools in said School District, or for paying any indebtedness incurred for said purposes; *Provided*, That a majority of the voters of said School District voting thereon at an election as hereafter provided shall vote in favor of issuing said school bonds.

§ 2. Election—place—voters—notice—return.—That for the purpose of determining whether or not school bonds shall be issued, as provided in Section 1, the School Trustees of Union School District No. 11 shall order an election to be held at such place or places in said School District as may be designated, in which election only qualified electors residing in the School District shall be allowed to vote; and said School Trustees shall give such notice of such election as they shall deem necessary and proper: *Provided*, That such notice shall appear at least once ten (10) days prior to the date of such election in a newspaper published in said District. Such notice shall state the question to be voted upon, shall state the time and place or places at which said election shall be held. Said School Trustees shall likewise appoint the managers of such election, receive the returns and determine the results.

§ 3. Election—ballots—how use.—The School Trustees of Union School District No. 11 shall have printed and provided for the use of the voters a sufficient number of ballots, which shall be placed at the voting place or places, on which shall be printed the words, "For the issue of School Bonds", and the words, "Against the issue of School Bonds"; and the voters voting for the issue of the bonds shall strike out the words, "Against the issue of School Bonds", and the voters against the issue of bonds shall strike out the words, "For the issue of School Bonds".

§ 4. Bonds—maturities—sale—interest.—If a majority of the votes cast at said election shall be in favor of issuing said bonds, the School Trustees shall issue said bonds as serial bonds, the first of which shall mature during the year 1938 and end with the year 1957; the amount to mature in any one year shall be at the discretion of and determined by the School Trustees. Said bonds shall be sold at public or private sale at not less than par and accrued interest, and the proceeds therefrom shall be used for the purposes mentioned in Section 1 hereof: *Provided*, That said bonds so sold shall not bear a rate of interest in excess of four (4%) per centum per annum, payable semi-annually, and the principal and interest thereof shall be payable at such time and places as said School Trustees may prescribe.

§ 5. Bonds—execution.—That said School bonds shall be signed by the chairman of the Board of School Trustees and countersigned by the Secretary: *Provided*, That the signatures of the Chairman and the Secretary may be lithographed or engraved upon the coupons

attached to such bonds, and such lithographed or engraved signatures shall be a sufficient signing thereof.

§ 6. **Bonds—exempt from taxes.**—That said bonds when issued shall be exempt from taxation for State, County and Municipal purposes.

§ 7. **Bonds—payment.**—That the officers of Union County charged with the assessment and collection of taxes shall, at the direction of the School Trustees of Union School District No. 11, levy and collect such a tax annually upon all property, real or personal, within Union School District No. 11, as will raise a sum sufficient to pay the interest and principal on said bonds, as the same shall become due.

§ 8. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 9. This Act shall become effective immediately upon its approval by the Governor.

Approved the 19th day of February, 1937.

(240)

No. 623.

AN ACT to Provide for the Levy of Taxes for County Purposes for Williamsburg County for the Fiscal Year Beginning January I, 1937, and for the Expenditure Thereof, and to Fix the Fees of the Clerk of Court for Recording Crop and Chattel Mortgages Creating Liens Under Acts of Congress or Executive Proclamations.

Section I. Be it enacted by the General Assembly of the State of South Carolina: That for all County purposes for the fiscal year beginning January 1, 1937, there shall be levied upon all taxable property in Williamsburg County a sufficient number of mills to be determined by the County Auditor from the assessment of the property therein, which, together with fines, forfeitures, gasoline tax, road tax, fees collected by various county officers, and all other income of the County, shall raise the amount of the appropriation in this Section:

Item I. Roads and Bridges:

Cross County Roads, Permanent Road Improvement, and Maintenance of Road Work Organization, including note now due on machinery	\$ 40,000.00
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Item 2. Salaries:

Supervisor	1,800.00
Supervisor travel expense.....	600.00
Clerk to Supervisor.....	900.00
Five (5) County Commissioners @ \$300.00 each	1,500.00
Clerk of Court	2,000.00
Deputy Clerk of Court\$	1,250.00
Sheriff	2,000.00
Sheriff's Travel Expense.....	900.00
One (1) Deputy Sheriff	1,200.00
Clerk to Sheriff.....	600.00
Sheriff's Law Enforcement.....	500.00
Auditor	747.93

Provided, That the total salary paid the County Auditor shall be \$2,000.00 and in the event the State's portion of such salary shall be increased or decreased, the County's portion shall be increased or decreased accordingly, so as to provide a total salary of \$2,000.00.

Clerk to Auditor	600.00
Treasurer	747.93

Provided, That the total salary paid the County Treasurer shall be \$2,000.00, and in the event the State's portion of such salary shall be increased or decreased, the County's portion shall be increased or decreased accordingly, so as to provide a total salary of \$2,000.00.

Clerk to Treasurer	600.00
Superintendent of Education	2,000.00
Travel Expense for Superintendent of Education, if necessary..	300.00
Clerk to Superintendent of Education	300.00
Judge of Probate	1,500.00

Secretary to County Health Of- ficer	600.00
Magistrate at Kingstree	600.00
Magistrate at Hemmingway.....\$	250.00
Magistrate at Greeleyville.....	250.00
Magistrate at Cades.....	200.00
Magistrate at Morrisville	200.00
Magistrate at Lanes	200.00
Magistrate at Earles.....	200.00
Magistrate at Hebron.....	200.00
Magistrates' Constables.....	1,300.00
County Attorney	150.00
County Physician	150.00
Coroner	300.00
Coroner's Travel Expense.....	150.00
Janitor at Court House.....	240.00
Item 3. Board of Education	125.00
Board of Equalization	500.00
Item 4: Jail Expenses (including dieting of prisoners)	1,000.00
Item 5: Jurors and Witnesses.....	1,500.00
Item 6: Poorhouse and Poor.....	1,500.00
Item 7: Post Mortems, Inquest and Lunacy	500.00
Item 8: Public Buildings (water, fuel, lights, insurance)	1,250.00
Item 9: Printing, Postage & Stationary..	1,500.00
Item 10: Miscellaneous Contingent.....	2,000.00
Item 11. Vital Statistics	404.25
Item 12. County and Home Demonstration Agents	900.00
Item 13. Interest on County Indebtedness.	1,000.00
Item 14. Confederate Veterans	200.00
Item 15. Extra help in Clerk's Office, if necessary	250.00
Item 16. Rent for FERA Quarters, if so much be necessary	240.00
Item 17. Office Supplies for Re-employ- ment Office	120.00
Item 18. Clerical help in Seed Loan Of- fice, if so much be necessary..	300.00

Item 19. Fire escape at Jail, if so much be necessary	100.00	
Item 20. Material for W. P. A. Workers in sewing room	180.00	
Item 21. Improvement court house grounds.	100.00	
Item 22. Equipment farm building.....	500.00	
TOTAL		\$ 79,205.11
Less estimated revenue as follows:		
Commutation and Road Tax.....	\$ 10,000.00	
Fines and Licenses.....	4,500.00	
Gasoline Tax	20,000.00	
Fees Collected by Officers	9,500.00	
		\$ 44,000.00
To be raised by Taxation.....		\$ 35,205.11

§ 2. The County Supervisor may, whenever he and the County Board of Commissioners deem it wise, hire a Civil Engineer from time to time when the services of one are needed, the Civil Engineer to be paid out of the Roads and Bridges fund.

§ 3. The Supervisor is hereby directed, whenever it is possible, to use the labor from the chaingang in unloading and hauling car-load shipments of supplies, materials, and equipment.

§ 4. The Supervisor and County Commissioners are hereby prohibited from issuing any pay checks to any of the Magistrates of Williamsburg County until said Magistrates have filed with him statements of the names of all persons for whom warrants have been issued during the previous quarter and the disposition of each case and a receipt from the County Treasurer for the fines and costs collected by the Magistrate during the previous quarter.

§ 5. The County Attorney shall give legal advice to all County Officers, including the Grand Jury, on any subject affecting the County, and a failure to give such advice the amount herein appropriated for his services shall not be paid to him by the County Treasurer.

§ 6. That all revenues accruing to the County not otherwise appropriated shall be deposited or invested by the Treasurer as a sinking fund for the payment of principal and interest of the one hundred and twenty-five thousand (\$125,000.00) dollar County bonds, issued March 1, 1926, to pay the past indebtedness of the County;

such deposits or investments to be guaranteed by bonds of indemnity or other adequate security to be passed on by the Board of County Commissioners.

§ 7. The fee that shall be charged by the Clerk of Court for Williamsburg County for the recording, filing, indexing, and/or registering any mortgage or other instrument conveying an interest in or creating a lien on crops growing or to be grown and/or personal property, and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, the Act of Congress approved February 20, 1935, or any other Act of Congress, or made to a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or to any other corporation which rediscounts notes or other obligations with or procures loans from the Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, the Government of the United States or any department, agency, instrumentality, or officer thereof, whether over or under one hundred (\$100.00) dollars, including record search, shall be seventy-five (75¢) cents, and this Act shall be retroactive so as to cover and include all such instruments as may or shall have been recorded, filed, indexed, and/or registered in the year 1937 prior to the passage and approval hereof. Williamsburg County is specifically excepted from the provisions of Section 3636 and Section 3637, Volume 2, Code of Laws of South Carolina, 1932.

§ 8. That the Board of County Commissioners and the County Treasurer, in any and all settlements made or to be made by them shall charge off and take credit for the sum of Fifteen thousand three hundred and one and 26/100 (\$15,301.26) dollars representing an over-draft accrued during 1936.

§ 9. The appropriations made in this Act shall be for the specific purposes designated herein, and for no other, except upon the written consent of a majority of the members of the Williamsburg County Delegation in the General Assembly. No over-drafts shall be made or created in any of the Items set forth in this Act, and in the event any such over-drafts are created, the County of Williamsburg shall not be responsible for such over-drafts and the same shall be void in so far as said County is concerned.

§ 10. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 11. This Act shall take effect upon its approval by the Governor.

Approved the 1st day of April, 1937.

(481)

No. 624.

AN ACT to Authorize the County Board of Education of Williamsburg County to Borrow from the Sinking Fund Commission of the State or School District Sinking Funds, \$8,000.00 for Purchasing School Equipment and to Provide for the Payment Thereof.

Section 1. Williamsburg County borrow improve schools.—

Be it enacted by the General Assembly of the State of South Carolina: That the County Board of Education for Williamsburg County is hereby authorized and empowered to borrow from the Sinking Fund Commission of the State of South Carolina, or from the school district sinking funds of the various school districts of Williamsburg County, for the purpose of making necessary additions or alterations, or for purchasing equipment for public school plants within the county, a sum not in excess of eight thousand (\$8,000.00) dollars.

§ 2. Payment.—The Superintendent of Education for Williamsburg County is hereby authorized and directed to set aside a sufficient percentage of the 10-mill county unit school tax collected each year to retire the indebtedness created by this loan over a period of five (5) years and to pay the interest thereon at a rate not in excess of six (6%) per cent per annum.

§ 3. Obligation valid.—That the note or obligation evidencing the loan made, or to be made, to the County Board of Education under this Act is hereby validated and declared to be the binding and legal obligation of said County Board of Education.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(1)

No. 625.

AN ACT to Validate, Ratify and Confirm the Organization, Formation and Creation of Cedar Swamp School District No. 28, of Williamsburg County, the State of South Carolina, and to Validate and Confirm the Election Held in Said School District on the Fifth Day of May, 1936, and the Issuance of Six

Thousand (\$6,000.00) Dollars of Bonds in Pursuance of Said Election.

Section 1. Cedar Swamp School District No. 28, Williamsburg County—created—powers and duties.—Be it enacted by General Assembly of the State of South Carolina: That the organization, formation and creation of Cedar Swamp School District No. 28, of Williamsburg County, the State of South Carolina, be and the same is hereby ratified and confirmed; and the said school district is hereby declared to be a body corporate, with all the powers, rights and duties of school districts provided to be created by and under the laws of the State of South Carolina.

§ 2. Bond election and issue validated.—That the election held in Cedar Swamp School District No. 28, of Williamsburg County, the State of South Carolina, on the 5th. day of May, 1936, authorizing the issuance of Six Thousand (\$6,000.00) Dollars bonds of said Cedar Swamp School District No. 28, for the purpose of constructing, erecting, and equipping a new school building in and for said school district, together with all proceedings, acts, and doings had and done in reference thereto, be and the same is hereby validated, confirmed, and declared to be legal in all respects; and that the bonds issued pursuant to said election are hereby declared to be valid and legal obligations of said Cedar Swamp School District No. 28 of Williamsburg County, the State of South Carolina, notwithstanding any irregularities which may have occurred in the proceedings relating to the petitioning, ordering, or holding of said election or the proceedings thereafter and thereunder had in the issuance, execution, and sale of said bonds.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 29th day of January, 1937.

(194)

No. 626.

A JOINT RESOLUTION to Authorize the Supervisor and the County Board of Commissioners to Sell and Execute a Deed to a Certain Parcel of Land Owned by Williamsburg County.

Whereas, The County of Williamsburg on the 28th. day of August, 1933, purchased from Mrs. Annie Snow Yates, a certain parcel of land containing 5.8 acres as is fully shown and described by a plat thereof made by P. G. Gourdin, surveyor, on August 14, 1933; and

Whereas, A part of said land was used for the purpose of building a road or highway thereon; and

Whereas, There is a small parcel of this land so purchased which was not needed for road purposes and for which the county has no need: *Now Therefore*

Section 1. Williamsburg County sell unneeded portion of land it purchased from Mrs. Annie Snow Yates.—Be it resolved by the General Assembly of the State of South Carolina: That the Supervisor of Williamsburg County and the County Board of Commissioners for said county are hereby authorized and empowered to sell the said land at either public or private sale and make, execute and deliver a good and sufficient deed or title in fee simple to the same. The deed or title so made shall be attested by the clerk of the County Board of Commissioners, and the proceeds arising from the sale of said land shall be paid over to the county treasurer and by him credited to the general fund of Williamsburg County.

§ 2. This Resolution shall take effect immediately upon its approval by the Governor.

Approved the 19th day of March, 1937.

(42)

No. 627.

AN ACT to Validate Loan of Seven Hundred and no/100 (\$700.00) Dollars Made to Lanes School District No. 34, Williamsburg County by the Sinking Fund Commission of South Carolina and to Fix a Tax Levy to Provide for the Payment Thereof.

Section 1. Loan to Lanes School District No. 34, Williamsburg County, validated.—Be it enacted by the General Assembly of the State of South Carolina: That a loan of Seven Hundred and no/100 (\$700.00) Dollars made to Lanes School District No. 34, Williamsburg County, by the Sinking Fund Commission of South Carolina on note executed by the County Treasurer and Members of the Board of Trustees of the said School District, bearing date of October 8, 1936, be, and the same is hereby, validated and declared to be legal in all respects as an obligation of the said School District No. 34, Williamsburg County.

§ 2. Payment.—That in order to provide for the payment of the said note, there is hereby levied a special tax on all of the taxable property of the said Lanes School District No. 34, Williamsburg

County, sufficient to retire the loan plus interest at six percent (6%) within a period of five years. The entire proceeds of this special tax shall be paid over annually to the Sinking Fund Commission by the County Treasurer to be applied on the principal and interest of the note given to secure the loan until the said loan is paid in full, at which time the tax shall no longer be levied. It shall be the duty of the Auditor of Williamsburg County to levy the said special tax and the duty of the County Treasurer of the said County to collect the tax so levied as other taxes are collected by law.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 10th day of February, 1937.

(604)

No. 628.

AN ACT Authorizing the Trustees of Certain School Districts in Williamsburg County to Borrow from the State Sinking Fund Commission or Local School District Sinking Funds, Funds Sufficient to Retire Indebtedness, and to Provide for Payment Thereof.

Section 1. School District No. 19 borrow make improvements and buy equipment, Williamsburg County.—Be it enacted by the General Assembly of the State of South Carolina: That the trustees of the several school districts listed below are hereby authorized and empowered to borrow from the Sinking Fund Commission of the State of South Carolina, or from the school district sinking funds of the various school districts of Williamsburg County, for the purpose of making necessary additions or alterations, or for purchasing equipment for the public school plants within each respective district, sums not in excess of the following amounts, to-wit:

School District No. 19, fifteen hundred (\$1500.00) dollars.

§ 2. **Payment.**—If the general school funds of said districts are insufficient for the purposes of this Act, the Auditor of Williamsburg County is hereby authorized and directed to levy and the Treasurer thereof to collect a tax annually upon all the taxable property in each of said school districts sufficient to retire the indebtedness of each respective school district over a period of five years and to

pay the interest thereon at a rate of interest not in excess of six (6%) per cent. per annum.

§ 3. **Obligation valid.**—That the note or obligation evidencing the loan made to each respective school district under this Act is hereby validated and declared to be the binding and legal obligation of such school district.

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 5. This Act shall take effect upon its approval by the Governor.

Approved the 15th day of May, 1937.

(588)

No. 629.

AN ACT to Provide for the Redemption of Property Sold by the Sheriff of Williamsburg County Under Tax Executions Where the Deed Has Not Been Delivered to the Purchaser, and for the Redemption of Property Conveyed to the Forfeited Land Commission of Williamsburg County and Now Held by It.

Section 1. Redeem certain property sold for taxes, Williamsburg County—pay taxes and costs thereon in installments.—Be it enacted by the General Assembly of the State of South Carolina: In all cases where property has heretofore been sold for delinquent taxes, but no title thereto has been executed by the Sheriff, and wherever property has been sold and bid in for the benefit of the County and State, for delinquent taxes, the Sheriff shall determine the amount of taxes, costs, penalties, fees and charges against the said property, which have already accrued, and shall divide the same into four (4) equal parts and the delinquent tax payer shall have the right to pay the same in four (4) equal annual installments, the first of which shall be paid on the 15th day of October, 1937. Subsequent payments shall be made on the 15th day of October of each year thereafter, until said taxes are fully paid. No such tax payer shall be considered to have discharged his tax obligations for any year unless the current taxes for such year, together with the installments designated to be paid during that year, have been fully paid. In the event a purchaser, other than the owner, has purchased property sold for taxes and has made a deposit on same, such deposit shall be returned to the purchaser, if the owner of such property,

should take advantage of the above plan to redeem his property. The plan hereinabove set out for the owner to redeem his property shall not affect his right, under the existing law, to redeem the same, as now provided by law, and he shall have the right to pay any or all of his taxes if he desires to do so before the dates hereinabove mentioned.

In the event of failure of such delinquent tax payer to pay any of said installments when due, all remaining installments shall become due and payable, and the said Sheriff of Williamsburg County shall convey, within a reasonable time, the said property to the Forfeited land Commission of Williamsburg County to be disposed of by it according to law.

§ 2. Sheriff notify delinquent taxpayers.—That the Sheriff, through his office, shall notify the delinquent tax payer, after determining the amount due by each of them, as to the amount of taxes due by each of them and when payable.

§ 3. Redeem property conveyed to forfeited land commission.—All property which has been conveyed to the Forfeited Land Commission of Williamsburg County by the Sheriff of said County and now owned and held by the said Commission, the owner of the land at the time of the sale thereof for delinquent taxes shall have the right and privilege of redeeming the same as set forth in Section 1 of this Act.

§ 4. Cumulative—repeal—invalidity.—This Act shall be considered as cumulative to, and as an amendment of the provisions of the general or special laws now in force and effect, and as repealing only such Acts or parts of Acts as may be inconsistent with the provisions hereof. If any of the provisions or parts or sentences of this Act shall be adjudged unconstitutional, that shall not affect the remainder or remaining provisions of this Act.

§ 5. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 6. This Act shall take effect upon its approval by the Governor.

Approved the 14th day of May, 1937.

(153)

No. 630.

AN ACT to Provide for the Levy of Taxes for Ordinary County and Road Purposes, to Pay Interest, Outstanding Bonds and Indebtedness During the Year 1937 and to Provide for the Proper Expenditure Thereof for York County, South Carolina.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the following amounts or sums of money, if so much be necessary, be, and the same are hereby appropriated for York County, South Carolina, for county and road purposes commencing January 1, 1937, and for the payment of indebtedness already incurred for the said purposes, and for the payment of interest on outstanding bonds and indebtedness, and for said purposes there is hereby levied upon all taxable property of York County, South Carolina, for the fiscal year beginning January 1, 1937, the amount of such millage to be determined by the County Auditor, not exceeding Ten (10) mills.

§ 2. That any and all sum or sums of money to which the said county is entitled from any sources shall be, and is hereby appropriated for said purposes unless the same be heretofore legally pledged to some other purpose.

Item 1: Supervisor's Office:

Salary Supervisor	\$ 2,400.00
Salary Clerk of Board.....	1,350.00
Salary Assistant Clerk.....	1,050.00
Advertising, Record Books, Postage, Box Rent, Stationery, Checks and Claim Blanks, Telephone and Telegraph, Supervisor's Bond	900.00
Total Item 1.....	\$ 5,700.00

Item 2: Chain Gang:

Salary of Superintendent including Board and Lodging.....	1,200.00
Six Day Guards, if so many be necessary at each, including Board and Lodging..	4,690.00

One Night Guard at \$60.00 per month, including Board and Lodging	720.00	
One Camp Boss and Cook at \$60.00 per month	720.00	
One Mechanic at \$100.00 per month including Board and Lodging	1,200.00	
Total Salaries		\$ 8,530.00
Clothing for prisoners, food for prisonoers and guards, fuel, mule feed, cow feed, repairs for for machinery and tools, medical supplies, camp repairs, veterinarianian, gas and oil for trucks and fuel for Diesel Tractor..	\$ 25,800.00	
Total Item 2:		\$ 34,330.00

Where provided herein for board and lodging of certain employees, in order to benefit by this, the one claiming for board and lodging must reside at the Chain Gang.

The Mechanics provided for herein shall furnish his own mechanical tools and to be available for use in rendering whatever mechanical services are necessary at the Chain Gang and to the Townships on their machinery.

Provided, That all produce raised on the County Home property and on all property rented by the Chain Gang shall be used exclusively at the County Home and the Chain Gang and when necessary for the County Com-

missioners and Supervisor to purchase any material, food, clothing, etc., for the County Home or the Chain Gang, such purchases as can be obtained from York County products shall be given preference.

Provided, Further, That the purchase of gasoline and oil for the use of the Chain Gang or at the County Home shall be made in wholesale quantities, and no officer or employee of the Chain Gang or of the County shall use or allow to be used in any private motor car or public car any gasoline or oil purchased for the use of the Chain Gang or the County Home, except the car belonging to the Supervisor.

Item 3: County Jail:

Dieting of prisoners in Jail. \$ 2,500.00

Provided, the Sheriff shall be allowed fifty-five (55¢) cents per day for each prisoner and shall file monthly with the Supervisor's office an itemized statement of said account.

For fuel, water and lights, repair and upkeep of buildings and grounds, furniture and fixtures, medical supplies, sanitary supplies, insurance on contents of jail, telephone, insurance on building (secured from the Sinking Fund Commission) \$ 1,814.00

Total Item 3: \$ 4,314.00

Item 4. Sheriff's Office & Rural Police:

Salary of Sheriff \$ 2,400.00

Salary of Deputy Sheriff.....	1,800.00
Sheriff's Expense Account for making investigations for viola- tion of law.....	240.00
Sheriff's Mileage	500.00
Office Supplies, telephone and P. O. Box Rent	100.00

Total Item 4:-A. \$ 5,040.00

Item4-B: *Provided*, That the foregoing amounts shall include all of the Sheriff's actual expenses in the discharge of his duties outside of York County except he shall be allowed his actual expenses in transporting prisoners which shall not exceed Railroad fare and \$3.00 per day for board and lodging unless it be necessary that he have an Assistant in transporting prisoners, then such Assistant's expenses shall be the same as that of the Sheriff.

Salary of four rural policeman at \$155.00 per month (salary for four)\$ 7,444.00

Provided, That an allowance be made for each policeman, not to exceed \$25.00 per month, for gas and oil 1,200.00

Salary for Commissioners (3) and Clerk 300.00

Telephone and Telegraph, premium on liability insurance for each automobile, uniforms, and a general fund for flash lights, cartridges, arrest fees (in other

towns outside of York County), stationery etc.	600.00	
Total Item 4-B		\$ 9,544.00
Item 5: Court House Expenses:		
Janitor's Salary	1,050.00	
Fuel,lights and water,repair and upkeep of building,supplies,in- surance premium on insurance for building and furniture....	1,926.00	
Total Item 5.		\$ 2,976.00
Repairs necessary to main water line and court room not exceed- ing		400.00
<i>Provided</i> , the said fund be paid out of fund unexpended in Su- pervisor's office.		
Item 6: Office of Clerk of Court.		
Salary of Clerk of Court.....	2,400.00	
Salary of Deputy Clerk.....	1,350.00	
Salary Clerk	1,350.00	
Advertising,office supplies,postage and box rent,record books,pre- mium on bond of Clerk Court, Deputy Clerk,telephone.....	1,200.00	
Total Item 6.		\$ 6,300.00
Item 7: County Auditor:		
Salary of Auditor	\$ 1,050.00	
Salary Deputy Auditor	1,350.00	
Advertising, office supplies, tele- phone, stamps. and P. O. Box Rent,premium on bond,repairs on adding machine,tax return binders, expenses taking returns outside of office	400.00	
Total Item 7		\$ 2,800.00

Item 8: Treasurer's Office:

Salary of Treasurer	1,050.00
Salary Deputy Treasurer	1,350.00
Salary Assistant Deputy Treasurer	1,350.00
Advertising, office supplies, repairs to adding machine and calculator, 5000 county checks, small ledger, school district ledger, ledger county vouchers, envelopes, letterheads, stamps, post cards and printing post cards, post office box rent, safety deposit rent, insurance premium on safe, premiums on bond of Treasurer and Deputies, telephone and telegraph, case of adding machine paper and new combination tax notices and tax receipt forms	1,904.50

Total Item 8. \$ 5,654.50

Item 9: Office of Probate Judge:

Salary of Probate Judge.....	2,400.00
Salary of Deputy Clerk.....	1,350.00
Office supplies, office blanks and marriage licenses, stationery repairs, record books, premium on bonds, stamps and Box Rent, telephone	368.00

Total Item 9. \$ 4,118.00

Provided, That in addition to the salary herein provided, all fees collected by the Judge of Probate for commitments shall be retained by the Judge of Probate as a part of his compensation.

Item 10: Office of Superintendent of Education.

Salary of Superintendent of Education	\$ 2,400.00
Telephone	75.00
Stamps & Box Rent	125.00
Stationery	40.00
Office Supplies	225.00
Bond	10.00

Total Item 10. \$ 2,875.00

Provided, The Superintendent of Education shall have a clerk at a salary of \$1,350.00 to be paid from the funds of the County Board of Education.

Item 11. Tax Collector's Office:

Premium on bond for Tax Collector	\$ 100.00
Premium on bonds for Deputies..	30.00
Telephone, stationery, etc	120.00

Total Item 11. \$ 250.00

Item 12: County Service Officer:

Salary	\$ 1,500.00
Salary of Clerk	900.00
Expense Account	925.00
Typewriter	50.00

Total Item 12 \$ 3,375.00

Item 13: Coroner's Office:

Salary of Coroner	\$ 650.00
Expenses visiting and holding inquests and inquisitions	100.00
Office Supplies and Expenses....	100.00

Total Item 13. \$ 850.00

Item 14: Board of Registration:

Three employees at \$40.00 per year each	120.00
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Total Item 14.....	120.00
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Item 15: County Home:

Salary of Superintendent	840.00
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Salary of Assistant Superintend- ent	720.00
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Two Cooks	360.00
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Two Nurses	360.00
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Food	2,800.00
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Clothing for Inmates	500.00
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Fuel, Telephone, Lights, Undertak- ing Supplies, Bedding, Furniture and tures, Farm Implements, Seed, etc., Churn, Fertilizer, Cow Feed, Medicine, Sanitary Su p- plies, Insurance, Gas and Oil for Truck, Repairs for Outbuildings	3,712.00
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Total Item 15.	9,292.00
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Item 16: General County Expenses:

County Accountant to check County affairs, not exceeding..\$	450.00
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Provided, a quarterly report of
County affairs shall be made.

Salary of County Attorney.....	250.00
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Nine (9) County Commissioners, each \$12.50 per month	1,350.00
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Salary of Constables and Mag- istrates	7,690.00
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Dieting of prisoners held in the custody of the Magistrate other than in the county jail (not to exceed fifty (50¢) cents per day per person) not exceeding.....	500.00
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Expenses of Magistrate's con- stables	200.00
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Provided Further, Each Magis-
trate's constable shall receive

\$1.00 for each person transported by them to County institution where the one way distance traveled is ten miles.

Provided, Further, The said Constable shall receive mileage at the rate of five cents per mile each way for distance traveled outside the limits of York County in returning prisoners to York County.

Salary of Board of Education at \$40.00 each	80.00
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Expenses of Members of Board of Education	10.00
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Salary of Equalization Board....\$	400.00
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Magistrate's and Constables Bonds	125.00
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Rock Crusher and top soil for Black Jacks	1,500.00
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Provided, that this fund shall be used in the Black Jacks Section of Bethesda Township under Direction of the County Supervisor.

Expenses of post mortems, inquests and lunacies and dental work	550.00
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County Physician or Physicians to be employed by the County Board and Supervisor.....	1,000.00
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Jurors, Witnesses and bailiffs....	7,500.00
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Provided, Jurors, Witnesses & bailiffs receive \$3.00 per day.

Confederate Veterans	1,250.00
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Aid National Guard Fort Mill...	200.00
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Aid National Guard Rock Hill...	200.00
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Vital Statistics	500.00
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Adult School Supervisor	100.00
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Ferries and Ferryman	270.00
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Bridges and Culverts	15,000.00
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County Tractor Patrol	2,800.00	
Outside Poor	1,500.00	
Hospitalization	2,000.00	
Welfare Office	1,500.00	
For completion Armory at Fort Mill	2,000.00	
For completion Armory at Rock Hill	2,000.00	
To pay L.J. Lumpkin for Special Service to York County in full to date the sum of	\$ 1,400.00	
For Erection of Building and Re- pairs caused by fire at Chain Gang	650.00	
County Engineer	1,800.00	
Bridge Foreman	1,000.00	
Interest on current loans	1,075.00	
To pay for Damages to Truck be- longing to A.F. Davis.....	100.00	
For Rent of Warehouse for Re- lief (not exceeding.....)	300.00	
For Demonstration truck for Farm Women's Council	300.00	
For Sewing Rooms—York County	1,000.00	
For Audit Clerk of Court's Of- fice	1,000.00	
Publicity Advertisement by Herald, the payment of which is to be left to the Delegation....	95.00	
Contingent Fund		\$ 7,000.00
<i>Provided, the Contingent Fund shall be paid out only upon the order of a majority of the County Delegation.</i>		

Item 17. Deficit for Year 1936:

Total Item 17.

GRAND TOTAL DISBURSE- MENTS	\$172,843.66
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Receipts:

Gas Tax	\$ 40,000.00
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Insurance Commission Fees	6,000.00
Two Mill County Bridge Fund . . .	2,000.00
Magistrate's Fines	5,000.00
Fees of Clerk of Court and Fines	6,000.00
Fees from Probate Judge	3,000.00
Beer Tax	3,000.00
Whiskey Tax	8,500.00

GRAND TOTAL	\$ 74,998.00
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§ 3. For road purposes and for County, as provided by law, the Auditor of said County is hereby directed to levy on all property in said County two(2) mills; in the Township of York, a special levy of two (2) mills to provide for a sinking fund and two (2) mills to pay interest on bonds issued by said Township in the aid of the Charleston, Cincinnati and Chicago Railroad; in the Township of Fort Mill, King's Mountain, York and Ebenezer, a special levy of one (1) mill is hereby made and the proceeds therefrom shall be used for road purposes in said Township; in the townships of Bethel, Bethesda, Broad River and Bullock's Creek, a special levy of two (2) mills is hereby made and the proceeds from said levy shall be used for road purposes in said Townships; in Catawba and Ebenezer Township, a special levy of one and one-fourth ($1\frac{1}{4}$) mills is hereby made and the proceeds therefrom shall be used in said townships for the support and maintenance of a public health nurse in said townships, as provided by the Act of the General Assembly of 1927; in the townships of Bethesda, Bethel, Bullock's Creek, Broad River, King's Mountain and York, a special levy of three-fourths ($\frac{3}{4}$) of a mill is hereby made, the proceeds therefrom shall be used in said townships for the support and maintenance of a public health nurse in said townships as provided by the Act of the General Assembly of 1930; in the township of Fort Mill a special levy of one (1) mill is hereby made, the proceeds therefrom shall be used in said township for the support and maintenance of a public health nurse in said townships, as provided by the Act of the General Assembly of 1936; in the township of York a special levy of one-half ($\frac{1}{2}$) mill is hereby made, the proceeds therefrom to be paid by the Treasurer of York County to the York Public Library.

§ 4. For Ordinary County Purposes and for purposes mentioned in this Act the Supervisor and the Commissioners for York County, with the approval of a majority of the York County Delegation

(including the Senator) are hereby authorized and directed to borrow a sum of not exceeding One Hundred Thousand (\$100,000.00) Dollars, if so much be necessary, at a rate of interest not exceeding five (5%) per cent and to pledge the ordinary County Tax Levy and any other security that might be available to secure the same and before borrowing same, the Supervisor and County Commissioners shall notify all banks and depositories in said County and shall borrow same for the lowest rate of interest obtainable.

§ 5. The appropriations herein provided shall not in any case be exceeded and any contracts which may be made and which will in any manner provide for the expenditure of funds in excess of those provided for herein, shall not be binding upon York County, and it is specifically provided that any person selling supplies or other commodities or rendering services to the County is charged with the duty of ascertaining in advance as to whether or not the appropriation for that purpose is sufficient to pay for same.

§ 6. No money appropriated for any specific purpose under the provisions of this Act shall be used for any other purpose than named without the written consent of a majority of the York County Delegation (including the Senator).

§ 7. That all supplies to be used by every Department in the County shall be purchased by the Supervisor and County Commissioners by competitive bids, and upon the written request of the person in charge of said department. An advertisement by the Supervisor inviting bids, on such supplies, to be inserted one time in four newspapers published in York County, at least ten days prior to the opening of the said bids, and the County Commissioners and the County Supervisor are hereby directed, required and authorized to award such contract to the lowest responsible bidder or bidders; *Provided*, that said County Commissioners and County Supervisor shall have the right to reject any and all bids .

§ 7-A. The County Supervisor of York County shall, under oath, prepare and publish in one issue of four newspapers published in said County quarterly, a condensed statement of all receipts and disbursements by funds or departments, together with a statement of the balance of cash on hand, and the amount of the County's indebtedness, if any, and at what rate of interest contracted. The original of said statement shall be filed in the office of the Clerk of Court of said County as a permanent County record. The County Treasurer of York County shall file with the Supervisor at the end

of each quarter herein referred to, a statement showing the amount of moneys on hand to the credit of the County, and said statement shall further show to what funds of the various departments or branches of the County the unexpended balances properly belong.

§ 8. All Acts or parts of Acts inconsistent herewith are hereby repealed

§ 9. This Act shall take effect immediately upon its approval by the Governor.

Approved the 11th day of March, 1937.

(627)

No. 631.

AN ACT to Provide for the Levy of Taxes for Ordinary County and Road Purposes, to Pay Interest, Outstanding Bonds and Indebtedness for the Period from January 1, 1938, to July 1, 1938, and to Provide for the Proper Expenditure Thereof for York County, South Carolina, and to Provide a Levy in Certain Townships for Roads.

Section 1. Be it enacted by the General Assembly of the State of South Carolina: That the following amounts or sums of money, if so much be necessary, be, and the same are hereby appropriated for York County, South Carolina, for county and road purposes commencing January 1, 1938, to July 1, 1938, and for the payment of indebtedness already incurred for the said purposes, and for the payment of interest on outstanding bonds and indebtedness, and for said purposes there is hereby levied upon all taxable property of York County, South Carolina, for the period of six (6) months, beginning January 1, 1938, the amount of such millage to be determined by the County Auditor, not exceeding five (5) mills

§ 2. That any and all sum or sums of money to which the said county is entitled from any sources shall be, and is hereby appropriated for said purposes unless the same be heretofore legally pledged to some other purpose.

Item 1. Supervisor's Office:

Salary Supervisor	\$ 1,200.00
Salary Clerk of Board	675.00
Salary Assistant Clerk	525.00
Advertising, Record Books, Postage, Box Rent, Stationery,	

Checks and Claim Blanks, Telephone and Telegraph, Supervisor's Bond	450.00
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Total Item 1	\$ 2,850.00
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Item 2. Chain Gang:

Salary of Superintendent including Board and Lodging.....	600.00
Six Day Guards, if so many be necessary at each, including Board and Lodging..	2,345.00
One Night Guard at \$60.00 per month, including Board and Lodging	360.00
One Camp Boss and Cook at \$60.00 per month	360.00
One Mechanic at \$50.00 per month including Board and Lodging..	600.00
One Blacksmith	360.00

Total Salaries	\$ 4,625.00
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Clothing for prisoners, food for prisoners and guards, fuel, mule feed, cow feed, repairs for machinery and tools, medical supplies, camp repairs, veterinarian, gas and oil for trucks and fuel for Diesel Tractor	\$ 12,900.00
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Total Item 2	\$ 17,525.00
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Where provided herein for board and lodging for certain employees, in order to benefit by this, the one claiming for board and lodging must reside at the Chain Gang.

The Mechanics provided for herein shall furnish his own mechanical tools and to be available for use in rendering whatever mechanical services are neces-

sary at the Chain Gang and to the Townships on their machinery.

Provided, That all produce raised on the County Home property and on all property rented by the Chain Gang shall be used exclusively at the County Home and the Chain Gang and when necessary for the County Commissioners and Supervisor to purchase any material, food, clothing etc., for the County Home or the Chain gang, such purchases as can be obtained from York County products shall be given preference.

Provided Further, That the purchase of gasoline and oil for the use of the Chain Gang or at the County Home shall be made in wholesale quantities, and no officer or employee of the Chain Gang or of the County shall use or allow to be used in any private motor car or public car any gasoline or oil purchased for the use of the Chain Gang or the County Home, except the car belonging to the Supervisor.

Item 3. County Jail:

Dieting of prisoners in jail. \$ 1,250.00

Provided, the Sheriff shall be allowed fifty-five (55¢) cents per day for each prisoner and shall file monthly with the Supervisor's office an itemized statement of said account.

For fuel, water, and lights, repair and upkeep of buildings and

grounds, furniture and fixtures,
 medical supplies, sanitary sup-
 plies, insurance on contents of
 jail, telephone, insurance on
 building (secured from the
 Sinking Fund Commission)...\$ 907.00

Total (Item 3) \$ 2,157.00

Item 4. Sheriff's Office and Rural Police:

Salary of Sheriff 1,200.00

Salary of Deputy Sheriff 900.00

Sheriff's Expense Account for
 making investigations for viola-
 tion of law 120.00

Sheriff's Mileage 250.00

Office Supplies, telephone and P.
 O. Box Rent 50.00

Total Item 4-A \$ 2,520.00

Item 4-B:

Provided: That the foregoing
 amounts shall include all of the
 Sheriff's actual expenses in the
 discharge of his duties outside
 of York County except he shall
 be allowed his actual expenses in
 transporting prisoners which
 shall not exceed Railroad fare
 and \$3.00 per day for board and
 lodging unless it be necessary
 that he have an Assistant in
 transporting prisoners, then such
 Assistant's expenses shall be the
 same as that of the Sheriff.

Salary of four rural policemen at
 \$155.00 per month (salary for
 four)\$ 3,722.00

Provided, That an allowance be
 made for each policeman, not to
 exceed \$25.00 per month, for
 gas and oil 600.00

Salary for Commissioners (3) and Clerk	150.00	
Telephone and Telegraph, premium on liability insurance for each automobile uniforms, and a general fund for flash lights, cartridges, arrest fees (in other towns outside of York County), stationery etc.	300.00	
Total (Item 4-B).....		\$ 4,772.00
Item 5: Court House Expenses:		
Janitor's salary	525.00	
Fuel, lights and water, repair and upkeep of building, supplies, insurance premium on insurance for building and furniture....	963.00	
Total Item 5		\$ 1,488.00
<i>Provided</i> , the said fund be paid out of fund unexpended in Supervisor's office.		
Item 6: Office of Clerk of Court:		
Salary of Clerk of Court.....	1,200.00	
Salary of Deputy Clerk	675.00	
Salary Clerk	675.00	
Advertising, office supplies, postage and box rent, record books, premium on bond of Clerk Court, Deputy Clerk, telephone	600.00	
Total Item 6.....		\$ 3,150.00
Item 7: County Auditor:		
Salary of Auditor	525.00	
Salary Deputy Auditor	675.00	
Extra Clerk Hire	150.00	
Advertising, office supplies, telephone stamps, and P. O. Box Rent, premium on bond, repairs on adding machine, tax return		

binders, expenses taking returns
outside of office..... 200.00

Total Item 7..... \$ 1,550.00

Item 8: Treasurer's Office:

Salary of Treasurer 525.00
Salary of Deputy Treasurer 675.00
Salary Assistant Deputy Treasurer 675.00
Advertising, office supplies, repairs
to adding machine and calcu-
lator, 2,500 county checks, small
ledger, school district ledger,
ledger county vouchers, en-
velopes, letterheads, stamps,
post cards and printing post
cards, post office box rent, safe-
ty deposit rent, insurance pre-
mium on safe, premiums on
bond of Treasurer and Deputies,
telephone and telegraph, case of
adding machine paper..... 902.25

Total Item 8 \$ 2,777.25

Item 9: Office of Probate Judge:

Salary of Probate Judge..... 1,200.00
Salary of Deputy Clerk 675.00
Office supplies, office blanks and
marriage licenses, stationery, re-
pairs, record books, premium
on bonds, stamps and box rent,
telephone 184.00

Total Item 9..... \$ 2,059.00

Provided, That in addition to the
salary herein provided, all fees
collected by the Judge of Pro-
bate for commitments shall be
retained by the Judge of Probate
as a part of his compensation.

Item 10. Office of Superintendent of Education:		
Salary of Superintendent of Education	\$ 1,200.00	
Telephone	37.50	
Stamps and Box Rent	62.50	
Stationery	20.00	
Office Supplies.....	112.50	
Bond	5.00	
Total Item 10		\$ 1,437.50
Item 11. Tax Collector's Office:		
Premium on Bond for Tax Collector	50.00	
Premiums on Bonds for Deputies.	15.00	
Telephone, Stationery, etc.....	60.00	
Total Item 11.....		125.00
Item 12. County Service Officer:		
Salary	750.00	
Salary of Clerk	450.00	
Expense Account	\$ 462.50	
Total Item 12.....		1,662.50
Item 13. Coroner's Office:		
Salary of Coroner	325.00	
Expenses visiting and holding inquests and inquisitions.....	50.00	
Office Supplies and Expenses....	50.00	
Total Item 13.....		\$ 425.00
Item 14. Board of Registration:		
Three employees at \$20.00 year each	\$ 60.00	
Total Item 14		\$ 60.00
Item 15. County Home:		
Salary of Superintendent	390.00	
Salary of Assistant Superintendent	330.00	

Two Cooks	180.00
Two Nurses	180.00
Food	1,400.00
Clothing for Inmates.....	250.00
Fuel, Telephone, Lights, Under- taking S u p p l i e s, Bedding, Furniture and Fixtures, Farm Implements, Seed, etc., Churn, Fertilizers, Cow Feed, Medi- cine, Sanitary Supplies, Insur- ance, Gas and oil for Truck, Repairs for outbuildings	1,856.00
Total Item 15.....\$	4,586.00
Item 16. General County Expenses:	
County Accountant to check coun- ty affairs, not exceeding.....	150.00
Salary of County Attorney.....	125.00
Nine (9) County Commissioners, each \$12.50 per month.....	675.00
Salary of Constables and Magis- trates	3,331.08
Dieting of prisoners held in the custody of the Magistrate other than in the county jail (not to exceed fifty (50c) cents per day per person) not exceeding.	250.00
Expenses of Magistrate's Con- stables	100.00
<i>Provided Further, Each Magis- trate's constable shall receive \$1.00 for each person trans- ported by them to County in- stitution where the one way distance traveled is ten miles.</i>	
<i>Provided Further, The said Con- stable shall receive mileage at the rate of five cents per mile each way for distance traveled outside the limits of York Coun- ty in returning prisoners to York County.</i>	

Salary of Board of Education at \$20.00 each.....	40.00
Expenses of Members of Board of Education	5.00
Salary of Equalization Board....	200.00
Magistrate's and Constable's Bond	37.50
Expenses of post mortems, inquests and lunacies and dental work	275.00
County Physician or physicians to be employed by the County Board and Supervisor.....\$	500.00
Jurors, witnesses and bailiffs.....	3,750.00
<i>Provided</i> , Jurors, Witnesses and bailiffs receive \$3.00 per day.	
Confederate Veterans.....	625.00
Aid National Guard Fort Mill..	600.00
Aid National Guard Rock Hill..	600.00
Vital Statistics.....	250.00
Adult School Supervisor.....	50.00
Ferries and Ferryman	135.00
Bridges and Culverts.....	10,000.00
County Tractor Patrol.....	1,000.00
Outside Poor	750.00
Hospitalization	1,000.00
County Engineer.....	900.00
Bridge Foreman.....	500.00
Insurance on Current Loan.....	537.50
For Demonstration truck for Farm Women's Council	150.00
Contingent Fund	5,000.00
<i>Provided</i> , the contingent fund shall be paid out only upon the order of a majority of the County Delegation, including the Senator.	
Total Item 16.....	\$ 31,836.08
GRAND TOTAL DISBURSEMENTS	\$ 80,980.33

Receipts:

Gas Tax	\$ 20,000.00
Insurance Commission fees.....	3,000.00
Two Mill County Bridge Fund...	1,000.00
Magistrate's Fines.....	2,500.00
Fees of Clerk of Court and Fines.	3,000.00
Fees from Probate Judge.....	1,500.00
Beer Tax	1,500.00
Whiskey Tax	4,250.00

Grand Total Receipts \$ 36,750.00

§ 3. For road purposes and for County, as provided by law, the Auditor of said County is hereby directed to levy on all property in said County one (1) mill; in the Township of York, a special levy of One (1) mill to provide for a sinking fund and one (1) mill to pay interest on bonds issued by said Township in the aid of the Charleston, Cincinnati and Chicago Railroad; in the Township of Fort Mill, King's Mountain, York and Ebenezer, a special levy of one-half (1/2) mill is hereby made and the proceeds therefrom shall be used for road purposes in said townships; in the townships of Bethel, Bethesda, Broad River and Bullock's Creek, a special levy of one (1) mill is hereby made and the proceeds from said levy shall be used for road purposes in said townships; in Catawba and Ebenezer Township, a special levy of five-eighths (5/8) of a mill is hereby made and the proceeds therefrom shall be used in said townships for the support and maintenance of a public health nurse in said townships, as provided by the Act of the General Assembly of 1927; in the townships of Bethesda, Bethel, Bullock's Creek, Broad River, King's Mountain and York, a special levy of three-eighths (3/8) of a mill is hereby made, the proceeds therefrom shall be used in said townships for the support and maintenance of a public health nurse in said townships as provided by the Act of the General Assembly of 1930; in the township of Fort Mill a special levy of one-half (1/2) mill is hereby made, the proceeds therefrom shall be used in said township for the support and maintenance of a public health nurse in said townships, as provided by the Act of the General Assembly of 1936; in the township of York a special levy of one-fourth (1/4) mill is hereby made, the proceeds therefrom to be paid by the Treasurer of York County to the York Public Library.

§ 4. For ordinary County purposes and for purposes mentioned in this Act the Supervisor and the Commissioners for York County,

with the approval of a majority of the York County Delegation (including the Senator) are hereby authorized and directed to borrow a sum not exceeding Fifty Thousand (\$50,000.00) Dollars, if so much be necessary, at a rate of interest not exceeding five (5%) per cent and to pledge the Ordinary County Tax Levy and any other security that might be available to secure the same and before borrowing same, the Supervisor and County Commissioners shall notify all banks and depositories in said County and shall borrow same for the lowest rate of interest obtainable.

§ 5. The appropriations herein provided shall not in any case be exceeded, and any contracts which may be made and which will in any manner provide for the expenditure of funds in excess of those provided for herein, shall not be binding upon York County, and it is specifically provided that any person selling supplies or other commodities or rendering services to the County is charged with the duty of ascertaining in advance as to whether or not the appropriation for that purpose is sufficient to pay for same.

§ 6. No money appropriated for any specific purpose under the provisions of this Act shall be used for any other purpose than named without the written consent of a majority of the York County Delegation (including the Senator).

§ 7. That all supplies to be used by every Department in the County shall be purchased by the Supervisor and County Commissioners by competitive bids, and upon the written request of the person in charge of said department. An advertisement by the Supervisor inviting bids, on such supplies, to be inserted one time in four newspapers published in York County, at least ten days prior to the opening of the said bids, and the County Commissioners and the County Supervisor are hereby directed, required and authorized to award such contract to the lowest responsible bidders or bidder; *Provided*, that said County Commissioners and County Supervisors shall have the right to reject any and all bids.

§ 7-A. The County Supervisor of York County shall, under oath, prepare and publish in one issue of four newspapers published in said County quarterly, a condensed statement of all receipts and disbursements by funds or departments, together with a statement of the balance of cash on hand, and the amount of the County's indebtedness, if any, and at what rate of interest contracted. The original of said statement shall be filed in the office of the Clerk of Court of said County as a permanent County record. The County Treasurer of York County shall file with the Supervisor at the end

of each quarter herein referred to, a statement showing the amount of moneys on hand to the credit of the County, and said statement shall further show to what funds of the various departments or branches of the County the unexpended balances properly belong.

§ 7-B. That the Auditor of York County is hereby authorized, empowered and directed to levy, for the fiscal year beginning January 1, 1937, the following millage in the townships herein below set forth:

Bethesda Township.....	Mills 2
York Township.....	" 1
Catawba Township.....	" 2
Ebenezer Township.....	" 2
King's Mountain Township.....	" 2
Bethel Township.....	Mills 5

And the Treasurer of York County is hereby authorized and directed to collect the same.

The township Commissioner in each of the foregoing Townships is hereby authorized, empowered and directed to expend all funds derived from the aforesaid levy and collection thereof for the maintenance of roads in the said Township. The purchase of new machinery shall be approved by a majority of the members of the General Assembly from York County.

§ 8. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 9. This Act shall take effect immediately upon its approval by the Governor.

Approved the 21st day of May, 1937.

(497)

No. 632.

AN ACT to Require the Board of Equalization of York County to Make a Survey of All Property in the County, Its Value and to Ascertain if Listed for Taxes.

Section 1. Board of equalization make survey of property, York County.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Equalization of the County of York be authorized and directed to make a careful survey (not by measurement) of all property in the County of York and its value; and ascertain if all such property is properly listed for taxes.

§ 2. **Property not listed for taxes.**—It shall be the duty of the Board to advise with the Auditor, and to see that all property not listed for taxes is so properly listed that the due and past due taxes thereon shall be paid.

§ 3. **Appropriation—pay of board.**—There is hereby appropriated the sum of not less than three thousand (\$3,000.00) dollars to pay for the expenses of this survey. Each member of the Board of Equalization of York County shall receive as his compensation for the work hereby contemplated a per diem of three (\$3.00) dollars and his actual expenses to be itemized and presented to the Board of County Commissioners for its approval.

§ 4. **Levy tax pay expenses.**—The proper officers of the County are hereby directed to levy and collect an amount not exceeding the sum of three thousand (\$3,000.00) dollars if so much be necessary for the payment of the expenses to be incurred under the proceedings of this Act

§ 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 6. This Act shall take effect January 1, 1938.

Approved the 4th day of May, 1937.

(281)

No. 633.

AN ACT to Provide for the Construction of Certain State Highways in York County Pursuant to the Reimbursement Agreement Between the State Highway Commission and York County; to Authorize the Making of Such an Agreement and the Issuance of York County Bonds for Said Purposes, and to Provide for the Payment of Said Bonds.

Section 1. York County issue bonds construct certain state highways.—Be it enacted by the General Assembly of the State of South Carolina: The Board of County Commissioners of York County be, and the same is hereby, authorized to issue serial bonds of York County, upon the conditions hereinafter stated, for the purpose of raising moneys to aid in financing the construction of certain State Highways or sections thereof hereinafter designated.

§ 2. **Bonds.**—Said bonds shall bear interest at a rate not exceeding four and one-half (4½) per centum per annum, payable semi-annually and shall mature at such time, or times, not exceeding

twenty(20) years from date of said bonds, and shall be issued in such form and denomination as the Senator and at least one-half of the members of the Delegation from York County in the General Assembly may direct in writing. The said bonds shall be signed by such County officials as shall be designated by the Senator and at least one-half of the members of the Delegation from said County in the General Assembly, and the seal of the Board of County Commissioners of York County shall be affixed to, or impressed upon, the said bonds. The delivery of the bonds shall be valid notwithstanding any change in officials, or seal, occurring after the execution of the bonds. The bonds shall be sold for not less than par and accrued interest. They shall be sold upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale. The award shall be made to the highest bidder, but the county shall have the right to reject all bids and re-advertise the bonds for sale.

§ 3. Enter into reimbursement agreement with state highway commission.—No bonds shall be issued under this Act unless and until the Board of County Commissioners of York County shall have previously entered into an agreement on behalf of such County with the State Highway Commission of South Carolina whereby the State Highway Commission shall have agreed to reimburse and repay said County for the moneys to be advanced by the County to the State Highway Commission pursuant to said agreement. The amount of bonds to be issued shall not exceed the amount necessary, as estimated by the State Highway Commission, or the Chief Highway Commissioner, which amount shall be set forth in the reimbursement agreement. The said Board of County Commissioners may, by the terms of said agreement, agree to advance to the State Highway Commission moneys necessary for the purpose of this Act, and the said Highway Commission may agree to reimburse and repay said County for all moneys so advanced. The said Board of County Commissioners and the State Highway Commission shall have all powers necessary to enable them to carry out said agreement. The State Highway Commission shall reimburse and repay said County as aforesaid out of the funds authorized by other laws to be used for the construction of the State Highway System, and so much of said funds as may be necessary for the purpose of making such reimbursement is hereby pledged irrevocably for said purpose, except the money needed in order to make the payments

to which said funds may have been previously pledged, and said pledge is hereby made a part of the contract between said County and the holders of said Bonds. All moneys paid or reimbursed to the County by the State Highway Commission pursuant to the provisions of this Act are hereby pledged irrevocably for the purpose of paying the principal and interest of the bonds authorized to be issued pursuant to this Act. This pledge is hereby made a part of the contract between said County and the holders of said Bonds. In fixing the time, or times, of maturity of said bonds the Board of County Commissioners of York County shall consider the probable amounts to be received each year by way of reimbursement as aforesaid, and shall endeavor to arrange the time of maturity of said principal so that the levy of a tax will not be necessary in order to pay said principal.

§ 4. State highway commission agree pay certain interest on bonds.—In addition to agreeing to repay and reimburse the principal sum of money to be advanced by the County as aforesaid, the State Highway Commission is hereby authorized and empowered to agree to repay and reimburse such interest on said bonds as may become due on and after the date or time that the roads herein designated would have been constructed by the State Highway Commission in a normal course of construction and without means provided by this Act, such time, or times, to be determined by the State Highway Commission.

§ 5. Payment of bonds.—The full faith, credit and taxing power of York County are hereby irrevocably pledged for the punctual payment of the principal and interest of said bonds as such principal and interest become due. The County Auditor of York County is hereby authorized and directed to levy annually on all taxable property of such County a tax sufficient to pay said principal and interest as they respectively become due and the Treasurer of York County is hereby authorized and directed to collect said tax and apply it to said purpose. But all moneys received by the County from the State Highway Department by way of reimbursement under the agreement herein provided for shall be applied to the payment of said principal and interest and to the reduction of said tax. There shall also be applied to the payment of said interest and to the reduction of said tax so much of the one cent gasoline tax as the County may receive from year to year, after the date of the approval of this Act, from the State Treasurer. It is the intention of this Act that all bonds

issued hereunder shall be direct and general obligations of York County, payable primarily by means of a property tax.

§ 6. **Bonds tax exempt.**—All bonds issued under the provisions of this Act shall be exempt from all State, County or Municipal taxes.

§ 7. **Type of construction.**—The construction herein authorized shall include hard surface construction as determined by the State Highway Department.

§ 8. **“Highway” and “road” defined.**—The term “highway” or “road” as used in this Act shall include bridge and drainage structures.

§ 9. **Highways construct.**—The highways or sections thereof, together with necessary bridges, to be constructed with funds made available under the provisions of this Act are namely: State Highway 55 from its intersection with State Highway 59 east of Clover to its intersection with State Highway 163; State Highway 59 from its intersection with State Highway 55 east of Clover to its intersection with State highway 163; State Highway 58 from its intersection with State Highway 163 to the North Carolina State line and State Highway 322 from Rock Hill to McConnellsville.

§ 10. **No effect on act 984, 1936 Acts—bonded indebtedness of state highway commission and state highway department.**—The provisions of this Act shall not affect the provisions of Act No. 984, Acts of the General Assembly of 1936, which prohibits the State Highway Commission and/or the State Highway Department from incurring or assuming any bonded indebtedness in excess of the aggregate principal indebtedness of the said Commission and/or Department as of the first day of January, 1934.

§ 11. **Repeal.**—All Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed to the extent of such inconsistency. This Act shall not be construed to be inconsistent with or repealing any other Act or Acts authorizing the issuance of bonds or other obligations for the purpose for which bonds are hereby authorized to be issued, but shall be held and construed to be cumulative thereto.

§ 12. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

Approved the 8th day of April, 1937.

(21)

No. 634.

AN ACT to Authorize, Empower and Direct the Auditor of York County to Levy and the Treasurer of York County to Collect a Sufficient Tax to Repay the Sum of Two Thousand Seven Hundred Thirty Eight and 50/100 (\$2,738.50) Dollars, With Interest, Borrowed by Broad River Township, in York County, and to Authorize and Empower the Auditor of York County to Levy and the Treasurer of York County to Collect a Sufficient Tax to Repay the Sum of Fifteen Hundred (\$1,500.00) Dollars, Borrowed by Catawba Township, in York County.

Whereas, The York County Delegation, in the General Assembly of South Carolina, has authorized Broad River Township to borrow the sum of Two Thousand Seven Hundred Thirty Eight and 50/100 (\$2,738.50) Dollars, for the purchase of a tractor and the said money to be paid in four equal annual installments; and the York County Delegation having authorized Catawba Township to borrow the sum of Fifteen Hundred (\$1,500.00) Dollars, to be used for ordinary Township purposes; *Now therefore*,

Section 1. Levy pay for tractor, Broad River township, York County.—Be it enacted by the General Assembly of the State of South Carolina: That the Auditor of York County is hereby authorized, empowered and directed to levy a sufficient tax upon all of the taxable property of Broad River Township, in York County, for the repayment of the sum of Two Thousand Seven Hundred Thirty Eight and 50/100 (\$2,738.50) Dollars, together with interest thereon, and the Treasurer of said County is hereby authorized and directed to collect the same; *Provided, However*, That the Auditor shall levy and the Treasurer collect a sufficient tax in Broad River Township, York County, to repay the said money in four equal annual installments, with interest, as follows:

\$684.63	May 1, 1938
\$684.63	May 1, 1939
\$684.62	May 1, 1940
\$684.62	May 1, 1941

§ 1-A. Levy repay funds borrowed, Catawba township, York County.—That the Auditor shall levy and the Treasurer collect a sufficient tax upon all of the taxable property of Catawba Township for the year 1937 to repay the sum of Fifteen Hundred (\$1,500.00)

Dollars, with interest, borrowed by Catawba Township for ordinary Township purposes.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 3rd day of February, 1937.

(378)

No. 635.

AN ACT to Authorize and Empower the County Supervisor of York County to Construct and Repair a Certain Road in Said County.

Section 1. Construct and repair Irene Bridge road, Broad River and Bullock townships, York County.—Be it enacted by the General Assembly of the State of South Carolina: The Supervisor of York County is hereby authorized, empowered and directed to construct and repair the Irene Bridge Road in Broad River and Bullock Townships in said County. The Supervisor is directed to use the road construction and repair equipment belonging to the County and the chain gang of the County which has not been allotted to construction work in another portion of the County. *Provided, However,* that not more than 20% of the prisoners or more than 50% of the equipment shall be used in any other part of the County except the area in which the gang camp is located.

§ 2. **No effect on act 182, 1935 Acts, and act 859, 1936 Acts.**—The provisions of this Act shall in no way nullify, impede or affect Act No. 182 of the Acts of 1935 or Act No. 859 of the Acts of 1936.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 23rd day of April, 1937.

(556)

No. 636.

AN ACT to Provide Additional Funds for the Expenses of the Sheriff, Deputy Sheriff, and Rural Police Officers of York County, While Patrolling the Public Roads and Discharging Their Duties as Peace Officers.

Section 1. Additional appropriations for sheriff, deputy sheriff, and rural police, York County.—Be it enacted by the Gen-

eral Assembly of the State of South Carolina: In addition to the funds already appropriated for the fiscal year beginning January 1, 1937, there is hereby appropriated from May 1, 1937, to the end of the fiscal year the following amounts to be paid only on presentation of receipts signed by the seller and officer making the purchase, and sworn to by the officer as being a true statement of the amounts actually expended for gasoline, oil, and other necessary and reasonable expenditures, to be approved by the Rural Police Commission at its regular monthly meeting:

Sheriff \$20.00 per month	\$160.00
Deputy Sheriff \$20.00 per Month	\$160.00
Four (4) Rural Police Officers @ \$20.00 per month	\$640.00
Total	\$960.00

§ 2. This Act shall take effect immediately upon the approval of the Governor.

Approve the 13th day of May, 1937.

(348)

No. 637.

AN ACT to Provide for the Issue of Coupon Bonds for Permanent Road Building and Permanent Bridges by Fort Mill Township in York County and Provide for a Commission to Expend the Proceeds Thereof.

Section 1. Fort Mill township issue bonds for bridge and highway improvements, York County.—Be it enacted by the General Assembly of the State of South Carolina: Fort Mill Township in York County shall issue coupon bonds for permanent highway improvements and the construction of permanent bridges in said Township, the bonds to be in such denominations and to be issued at such times and in such amounts as the commission hereafter provided for may determine in its judgment and discretion, such issue not to exceed Forty Thousand (\$40,000.00) Dollars and to draw interest at a rate not to exceed five per cent (5%) per annum, payable semi-annually.

§ 2. **Fort Mill permanent road commission—powers—vacancy—term—bonds.**—The persons hereinafter named shall constitute a Board of Commissioners to be known as the “Fort Mill Permanent Road Commission” and shall have charge of the carrying out of the

provisions of this Act. In case of a vacancy on said Commission by death, resignation or otherwise such vacancy shall be filled by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of York County. The Commission shall serve for a term of three years or until the provisions of this Act are completely carried out. Each member shall give bond in some bonding company, licensed to do business in this State, in the sum of One Thousand (\$1,000.00) Dollars, and the Commission shall require bonds of such of its employees, as in its discretion may seem advisable, in such amounts as the said Commission may fix, the premiums on said bonds to be paid from the funds derived from the said bond issue.

§ 3. Commission—pay—employees—state highway chief engineer approve plans.—The Commissioners hereinafter named or any that may hereafter be appointed under this Act shall serve without compensation. The Commission shall have power to elect a secretary, employ attorneys and other clerical help, an engineer or engineers and such assistants as may be necessary or advisable, who shall be paid such salaries or compensation as may be fixed by the Commission. *Provided*, the said Commission shall utilize the services of the engineers of the South Carolina Highway Department in the location and construction of the said highways and all plans shall be approved by the Chief Engineer of the said South Carolina Highway Commission.

§ 4. Commission condemn lands—plans and specifications.—The Commission shall have full power to condemn land and acquire rights of way in the same manner as the County Boards of Commissioners are now authorized by law to condemn lands and acquire rights of way. Complete plans and specifications shall be prepared, showing location of said highway, grade and bridges for permanent construction from time to time, as the Commission may decide.

§ 5. Road construct and hard surface.—The proceeds of the bonds herein provided are to be used for the construction and hard surfacing the following highway or road: From the town of Fort Mill in a general northerly direction to the North Carolina State line, as located by the Engineers of the State Highway Department.

§ 6. Contracts.—The roads and bridges shall be constructed by contract and the Commission is authorized to let such contract themselves or to allow the South Carolina Highway Commission to let such contract and to turn the proceeds of this bond issue over to the

said State Highway Commission, to be used in the construction of this highway or road, upon such terms and conditions as the said Fort Mill Township Permanent Road Commission may prescribe. *Provided*, such contract shall only be let after advertisement and shall be let to the lowest responsible bidder. They may reject any or all bids.

§ 7. Materials use—cooperate with other agencies.—The road or highway shall be constructed of such material as the said Engineers of the State Highway Department may prescribe and *Provided*, that in the construction of the said road the Commission may and shall cooperate with the State Highway Department and the Federal Government and shall have power to do and perform all acts and things necessary to secure the service of experts on road construction and in securing such Federal Aid and State Aid as may at any time be advisable.

§ 8. Report annually.—The Commission shall, at the close of each fiscal year make a full report of its transactions for that year and file same with the Clerk of Court for York County.

§ 9. Bonds—sale—issues—execution—exempt from taxes.—The Commission shall offer said bonds for sale from time to time as in their judgment may be required for the purpose of this Act to the highest bidder, after due advertisement, reserving the right to reject any and all bids. The said bonds shall be issued in such amounts and at such times as the Commission may determine, the maturity of said bonds not to exceed thirty years from date of issue, entirely as serial bonds, payable annually in such series as the Commission may determine, all bonds to be coupon bonds, and the Commission shall have power, if deemed advisable in the issuance of said bonds, to provide that the same shall be called in after a definite period of years, which period of years shall be set forth in said bonds; all the said bonds to be signed by a majority of the members of the Commission and countersigned by the County Treasurer of York County. *Provided*, the signatures may be lithographed or engraved upon the coupons of said bonds. The bonds shall bear the seal of Fort Mill Township and shall be payable at such place or places as the Commission shall determine and shall be exempt from State and County taxation.

§ 10. Bonds—deposit and disbursement of funds—payment—personnel of commission.—The proceeds from this sale of said bonds shall be deposited by the Commission with the county Treas-

urer of York County and deposited by him in banks or depositories located in York County. The funds shall be kept in a separate fund and held subject to warrants of the Commission. Said warrants shall be signed by the Commission or a majority thereof and countersigned by the Secretary, or shall be signed as may be otherwise provided by the Commission and shall be drawn payable to the person, persons, firm or corporation or department of the State Government to whom funds may from time to time be due and each warrant shall show the item for which payment is made. In order to pay interest on said bonds and to provide for the redemption of same at maturity the County Auditor is hereby directed and required to assess and levy, after the passage of this Act, and each year during the period of said bonds on all property, real and personal, in Fort Mill Township, a tax sufficient to pay the interest and the maturing of bonds as may from time to time be issued by the said Commission. The said taxes shall be annually collected by the County Treasurer at the time when other State and County taxes are due and collectible and applied by him to the payment of the interest and maturing bonds. The Commission herein provided shall consist of three members, as follows:

Luther G. Patterson

S. W. Foster

T. B. Spratt.

§ 11. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 12. This Act shall take effect upon its approval by the Governor.

Approved the 17th day of April, 1937.

(487)

No. 638.

AN ACT to Amend Sections Nine and Ten of An Act Entitled "An Act to Provide for the Issue of Coupon Bonds for Permanent Road Building and Permanent Bridges by Fort Mill Township in York County and Provide for a Commission to Expend the Proceeds Thereof", Approved by the Governor April 17, 1937, so as to Further Provide for the Kind and Maturity of Bonds; for Exemption of Same From Taxation and Disposition of Proceeds of Sale.

Section I. Act 637, 1937 Acts, amended—bonds Fort Mill township issue, York County, for bridge and highway improvements.—Be it enacted by the General Assembly of the State of South Carolina: That Section nine (9) of an Act entitled "An Act to provide for the Issue of Coupon Bonds for Permanent Road Building and Permanent Bridges by Fort Mill Township in York County and to Provide for a Commission to Expend the Proceeds Thereof, be, and the same is hereby amended by striking out said section and inserting in lieu thereof the following to be known as Section nine.

"Section 9. The Commission shall offer said bonds for sale as a whole or from time to time as in their judgment may be required for the purpose of this Act to the highest bidder, after due advertisement, reserving the right to reject any and all bids. The said bonds shall be negotiable coupon bonds in such denomination and shall mature serially at such times and in such amounts as the Commission may determine, the last maturity not to exceed thirty (30) years from the date of the bonds bear and the Commission shall have the power, if deemed advisable in the issuance of said bonds, to provide that the same shall be called in after a definite period of years, which period of years shall be set forth in said bonds; all the said bonds to be signed by a majority of the members of the Commission and countersigned by the County Treasurer of York County. *Provided*, the signatures may be lithographed or engraved upon the coupons of said bonds. The bonds shall bear the seal of Fort Mill Township and shall be payable at such place or places as the Commission shall determine and shall be exempt from all State, Municipal, School and County taxes."

§ 2. Same—deposit and disbursement of funds—payment of bonds—personnel of committee.—Amend Section ten (10) of said Act by striking the same out and inserting in lieu thereof the following to be known as Section ten (10)

"Section 10. The proceeds from this sale of said bonds shall be deposited by the Commission with the County Treasurer of York and deposited by him in banks or depositories located in York County. The funds shall be kept in a separate fund and held subject to warrants of the Commission. Said warrants shall be signed by the Commission or a majority thereof and countersigned by the Secretary, or shall be signed as may be otherwise provided by the Commission and shall be drawn payable to the person, persons, firm or corporation or department of the State Government to whom funds may from

time to time be due and each warrant shall show the item for which payment is made. *Provided*, if the contract is let by the State Highway Commission the proceeds of said bonds may be turned over to said State Highway Commission. In order to pay interest on said bonds and to provide for the redemption of same at maturity the County Auditor is hereby directed and required to assess and levy, after the passage of this Act, and each year so long as any of said bonds shall be outstanding on all property, real and personal in Fort Mill Township, a tax sufficient to pay the interest and the principal of bonds as may from time to time be issued by the said Commission. The said taxes shall be annually collected by the County Treasurer at the time when other State and County taxes are due and collectible and applied by him to the payment of the interest and maturing bonds. The Commission herein provided shall consist of three members, as follows:

Luther G. Pattison

S.W. Foster

T.B. Spratt

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 4th day of May, 1937.

(6)

No. 639.

AN ACT to Validate and Declare Legal An Election Held in the City of Rock Hill on the 17th Day of October, 1935, on the Question of the Issuance of Seventy Thousand (\$70,000.00) Dollars of Bonds of the City of Rock Hill, York County, South Carolina, for the Purpose of Paying for the Establishment, Enlargement, Repair and/or Improvement of the City Hall and Its Various Departments, Embracing Fire Department, Police Department, Jail, Recorder's Court and Public Offices, and to Validate and Declare Legal the Bonds Issued in Pursuance of Said Election.

Section 1. City hall bond election and issue validated, city of Rock Hill.—Be it enacted by the General Assembly of the State of South Carolina: That an election held on the 17th day of October, 1935, in the City of Rock Hill, York County, South Carolina, on

the question of the issuance of Seventy Thousand (\$70,000.00) Dollars of Bonds of the City of Rock Hill for the purpose of paying for the establishment, enlargement, repair and/or improvement of the City Hall and its various departments, embracing Fire Department, Police Department, Jail, Recorder's Court and Public Offices, be and the same is hereby validated and declared legal in all respects, and all bonds of said City issued, or to be issued under authority of said Election are hereby declared to be legal and valid in all respects as binding obligations of the said City of Rock Hill.

§ 2. **Acts relating thereto validated.**—That all acts and proceedings or Ordinances had and taken by the City Council of Rock Hill in relation to said Election, and in relation to the calling and holding thereof, and providing for the issuance and sale of said bonds, be and the same are hereby validated, ratified and confirmed, notwithstanding any irregularity or omissions which may have occurred in any of the acts, resolutions, ordinances or proceedings of said City Council, or otherwise relating to the issuance of said bonds of said City, issued by virtue of said Election are hereby declared to be incontestable obligations of said City of Rock Hill.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 29th day of January, 1937.

(100)

No. 640.

AN ACT to Validate An Election Held in the Town of Ebenezer, York County, State of South Carolina on August 6, 1935, Authorizing the Issuance of Bonds Pursuant to Said Election, Providing for the Levy and Collection of Taxes for the Payment Thereof and Validating the Election on December 8, 1936 of Three Citizens of Said Town as the Board of Public Works to Operate the Waterworks System to be Constructed With the Proceeds of Said Bonds.

Section I. Bond election and issue validated, town of Ebenezer—payment of bonds—use proceeds construct waterworks.—Be it enacted by the General Assembly of the State of South Carolina: That the election held on August 6, 1935, and all proceedings had precedent to and subsequent to the holding of said election in the Town of Ebenezer, York County, South Carolina, authorizing

the issuance of bonds of said Town in an amount not exceeding Fifteen Thousand (\$15,000.00) Dollars, be and the same are hereby validated, ratified, approved and confirmed notwithstanding any lack of power of said Town or irregularities, or defects, in the petition signed by the freeholders of the said Town and presented to the Town Council requesting an election, or in the publication of notice of said election or in any proceedings had or to be had authorizing the issuance of the bonds, and notwithstanding that the said election authorizing said bonds was held prior to the election at which the Board of Public Works was elected. All or any part of said bonds when issued and sold pursuant to an ordinance or resolution heretofore or hereafter adopted by the Town Council of said Town shall be binding, legal, valid, and enforceable obligations of said Town, and there shall be levied and collected annually at the time other taxes are levied and collected a special *ad valorem* tax upon all the taxable property within said Town of sufficient rate and amount to pay the principal of and interest on said bonds as such principal and interest fall due, notwithstanding the failure to do any acts or things required to be done precedent to and subsequent to the holding of the aforesaid election or any irregularities in proceedings had or to be had by the Town Council of said Town or in the sale, execution and delivery of said bonds. The proceeds of said bonds when sold shall be used to finance the cost of constructing a complete municipal waterworks system, including the necessary land therefor, as shall be provided in an ordinance or resolution heretofore or hereafter adopted by the Town Council of said Town.

§ 2. Election of board of public works validated—powers of board.—That the election held on December 8, 1936, and all proceedings had precedent to and subsequent to the holding of said election in said Town be and the same are hereby validated, ratified, approved and confirmed notwithstanding any lack of power of said Town or any defect or irregularities in the election proceedings, and the election of R. A. Gettys, J. S. Matthews and W. B. Ketchen to the Board of Public Works to construct, operate and control said waterworks system is hereby confirmed.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937.

(674)

No. 641.

AN ACT to Provide for the Consolidation of School District No. 5, of Charleston County, the State of South Carolina, and School District No. 6, of Charleston County, the State of South Carolina, Into a School District to be Known as Consolidated School District No. 5, of Charleston County, the State of South Carolina, and to Provide for the Issuance of Not Exceeding Forty Thousand (\$40,000.00) Dollars of Bonds of Said School District, and to Provide a Tax Levy for the Payment Thereof.

Section 1. Consolidated School District No. 5, Charleston County—area.—Be it enacted by the General Assembly of the State of South Carolina: That for the purpose of maintaining a public school in the territorial area herein described the following School Districts now existing in the County of Charleston, South Carolina, viz., School District No. 5, of Charleston County, the State of South Carolina, and School District No. 6, of Charleston County, the state of South Carolina, be and are hereby consolidated into one Consolidated School District, which shall be known as Consolidated School District No. 5, of Charleston County, the State of South Carolina, which Consolidated School District shall be a body politic, incorporated with such government, rights, privileges and liabilities, and in addition to those provided for School Districts, those herein-after provided. The area of said Consolidated School District shall be that comprised within the area of the present School District No. 5, of Charleston County, the State of South Carolina, and School District No. 6, of Charleston County, the State of South Carolina.

§ 2. Trustees—appointment—member.—That the Trustees of said Consolidated School District shall be three in number and shall be appointed by the County Board of Education for Charleston County upon the approval of this Act by the Governor, provided that the present Trustees of said separate School Districts herein consolidated, shall no longer be such Trustees of said separate School Districts.

§ 3. Issue bonds erect school buildings.—That for the purpose of erecting a new school building or school buildings in said Consolidated School District, and acquiring property therefor, the said Trustees of said School District are hereby authorized and empowered to issue and sell not exceeding Forty Thousand (\$40,000.00) Dollars negotiable serial coupon bonds of said school districts,

said bonds to bear such date, such rate of interest and be payable in such series or instalments and at such place as may be fixed by the Trustees of said Consolidated School District in the Resolutions, authorizing the issuance of the same.

§ 4. **Bonds—execution.**—That the said bonds shall be signed by the Trustees of said School District and the lithographed or engraved facsimile signatures of the Chairman of said Board of Trustees upon the interest coupons attached to the same shall be a sufficient authentication of the same.

§ 5. **Bonds—sale.**—The said bonds shall be sold by the said Board of Trustees, at not less than par and accrued interest to date of delivery, at either public or private sale, with or without advertisement thereof.

§ 6. **Bonds—payment.**—The full faith and credit of said district are hereby pledges for the payment of said bonds and interest, and the Auditor and Treasurer of Charleston County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within said School District, sufficient to pay the interest on said bonds and the bonds as they respectively mature, and to create a Sinking Fund for the redemption of said bonds and interest at respective maturities.

§ 7. **Bonds tax exempt.**—The bonds issued under the provisions of this Act shall be and are hereby exempted from all State, County, Municipal and School taxes thereon.

§ 8. This Act shall take effect immediately upon its approval by the Governor.

Approved the 30th day of April, 1937.

(101)

No. 642.

A JOINT RESOLUTION Authorizing and Requiring the South Carolina Tax Commission to Issue Refund of Alcoholic Liquors Tax Stamps Mutilated Unused or Returned to the Commission by J. R. Young and Company.

Section 1. Tax commission refund J. R. Young and Co. for certain alcoholic liquors tax stamps.—Be it resolved by the General Assembly of the State of South Carolina: That South Carolina Tax Commission be, and is hereby authorized and directed to issue warrants on the alcoholic liquors fund on deposit with the State Treasurer to J. R. Young and Company in the amount of \$301.35,

the amount so ordered to be refunded representing Alcoholic Liquors Tax stamps mutilated, unused, or returned to the South Carolina Tax Commission.

§ 2. This Resolution shall take effect immediately upon its approval by the Governor.

Approved the 27th day of February, 1937.

(67)

No. 643.

AN ACT to Authorize the Adjutant General to Re-Convey in the Name of the State of South Carolina Certain Parcels of Real Estate Acquired But Not Needed as Sites for the National Guard Armories.

Whereas, by Act No 649 of the Acts of the General Assembly of the Year 1936, Approved March 4th., of that year, the Adjutant General of this State was authorized and empowered to receive, on behalf of the State of South Carolina, conveyances of sites of real property for the erection of National Guard Armories; and

Whereas, pursuant to the authority conferred in said Act the Adjutant General of this State accepted, on behalf of the State of South Carolina for the purposes above mentioned, conveyances of two parcels of real estate situate in the town of Jefferson, County of Chesterfield, one made by George W. Gregory, dated August 7, 1936, and recorded in the Office of the Clerk of Court for Chesterfield County, in Book 82 of Deeds, page 168; and the other of even date with the conveyance above described, made by Everett R. Miller and recorded in the office of the Clerk of Court for Chesterfield County in Book 82 of Deeds, page 169, both having been made as Deeds of Gift and without the State of South Carolina paying any sum for the purchase thereof; and

Whereas, subsequent to the receipt of the foregoing mentioned conveyances, the Adjutant General of this State, acting in the premises for the State of South Carolina, received Deeds of Gift of other real estate deemed more suitable for the location of the National Guard Armories; and

Whereas, the acceptance of these other conveyances and the determination to utilize these sites for the above mentioned purposes, renders the real estate conveyed in the two conveyances specifically mentioned above, useless to the State of South Carolina; and

Whereas, the donors of the same are desirous of having the same conveyed back to them by the State of South Carolina, *now, therefore*,

Section I. Adjutant general reconvey to George W. Gregory and Everett R. Miller property deeded to state as sites for national guard armories.—Be it enacted by the General Assembly of the State of South Carolina: That the Adjutant General of the State of South Carolina be, and he is hereby authorized, empowered and directed, to execute, in behalf of and in the name of the State of South Carolina, deeds of conveyance, conveying the respective pieces of real estate as described in the foregoing mentioned deeds to the respective grantors thereof, without the requirement or the payment of any consideration therefor.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 19th day of February, 1937.

(278)

No. 644.

AN ACT to Authorize the Construction of a Separate Unit of the South Carolina Penitentiary to be Known as the Women's Penitentiary and to Make Appropriation for the Construction Thereof.

Section 1. The women's penitentiary—construct, equip and operate—location.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Directors of the South Carolina Penitentiary be, and it is, hereby authorized to construct, equip and operate a separate unit of the South Carolina Penitentiary for the use of women inmates, to be known as "The Women's Penitentiary", and to be constructed upon the State Broad River Farm located about eight (8) miles from Columbia on the Newberry Road. Said unit shall be so constructed as to provide for complete segregation of the races insofar as may be practicable, having a due regard to proper economy and operation, and to be so located as not to be in immediate contact with the South Carolina Industrial School for Girls.

§ 2. **Appropriation.**—There is hereby appropriated for the purpose mentioned in Section 1 hereof the sum of Seventy-five Thousand (\$75,000.00) Dollars, or so much thereof as may be necessary. *Pro-*

vided, However, That the said unit shall not be constructed, nor any portion of said money used, unless a grant of at least forty-five (45%) per cent of the estimated cost of said buildings to be so constructed, to supplement the said appropriation, shall be obtained from the Public Works Administration of the Federal Government, or some other Federal Agency. *Provided, Further,* That the Board of Directors is hereby authorized and empowered to make application for such grant immediately upon approval of this Act, and to take such other steps as may be necessary and proper for the construction and operation of said unit. The funds hereby appropriated and the grant hereby authorized to be applied for may be used not only for the cost of construction of the said buildings, but may also be used for the equipment thereof.

§ 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 8th day of April, 1937.

(589)

No. 645.

AN ACT to Amend Act No. . . . of the Acts of South Carolina, 1937, Entitled "An Act to Authorize the Construction of a Separate Unit of the South Carolina Penitentiary to be Known as the Women's Penitentiary and to Make Appropriation for the Construction Thereof", Approved April 8th, 1937, so as to Eliminate the Provision Requiring the Obtaining of a Grant From the Federal Government of Forty Five Per Cent as a Prerequisite to the Use of the Money Appropriated, and to Authorize a Loan From the State Sinking Fund Commission in Case no Federal Grant Can be Obtained.

Section 1. Act 644, 1937 Acts, amended—not necessary receive grant construct the women's penitentiary—borrow from state sinking fund commission.—Be it enacted by the General Assembly of the State of South Carolina: That Act No . . . of the Acts of South Carolina, 1937, entitled 'An Act to Authorize the Construction of a Separate Unit of the South Carolina Penitentiary to be Known as the Women's Penitentiary and to Make Appropriation for the Construction Thereof', approved April 8th, 1937, be, and the same is hereby amended by striking out Section 2 of said Act and inserting in lieu thereof the following as Section 2:

"Section 2. There is hereby appropriated for the purpose mentioned in Section 1 hereof the sum of seventy-five thousand (\$75,000.00) Dollars, or so much thereof as may be necessary: *Provided, However,* That the Board of Directors of the Penitentiary is hereby authorized and directed to apply to the Public Works Administration of the Federal Government or to any other proper Federal Agency for a grant to supplement the appropriation herein provided: *Provided Further,* In case a sufficient Federal grant cannot be obtained, the Board of Directors is hereby authorized and empowered to borrow from the State Sinking Fund Commission a sufficient amount, not to exceed fifty thousand (\$50,000.00) dollars, to supplement the appropriation herein provided, such loan to be repaid from the revenues of the Penitentiary during a period to be agreed upon between the Board of Directors of the Penitentiary and the Sinking Fund Commission but not to exceed five years. The funds herein provided may be used not only for the cost of construction of said building but may also be used for the equipment thereof."

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 14th day of May, 1937.

(267)

No. 646.

A JOINT RESOLUTION to Authorize the South Carolina Aeronautics Commission for and on Behalf of the State of South Carolina, to Accept Title to Land, for the Purpose of Erecting at the Columbia Airport an Administration Building and Shop, to be Used for the Benefit of the Said Commission.

Whereas, That there has been allotted to the South Carolina Aeronautics Commission certain Federal Funds to be used by the said Commission for the purpose of erecting an administration building and shop for the use and benefit of said commission, and

Whereas, The Columbia Airport has offered to give and make a deed of gift of a lot, measuring One Hundred and Fifty Feet by One Hundred and Fifty Feet (150' x 150'), located at the Columbia Airport, to the State of South Carolina for the purpose of space on which to erect said administration building and shop, the said lot to be without any cost, whatsoever, to the State of South Carolina, *Now, Therefore:*

Section 1. South Carolina aeronautics commission accept title to certain property at Columbia airport for the state.—Be it resolved by the General Assembly of the State of South Carolina: That the South Carolina Aeronautics Commission is, hereby, authorized and directed to accept for and on behalf of the State of South Carolina title to a certain lot of land located at the Columbia Airport, and measuring One Hundred and Fifty Feet by One Hundred and Fifty Feet (150' x 150'): *Provided*, That title to the said lot be taken in the name of the State of South Carolina.

§ 2. This Resolution shall become effective upon its approval by the Governor.

Approved the 9th day of April, 1937.

(522)

No. 647.

AN ACT to Legalize the Creation and Establishment of Authorities or Housing Authorities in the State of South Carolina Under the Provisions of the Housing Authorities Law, as Amended, and Declaring Them Bodies Corporate and Politic.

Section I. Creation and establishment of housing authorities under housing authorities law validated.—Be it enacted by the General Assembly of the State of South Carolina: The purported creation and establishment of Authorities or Housing Authorities under the provisions of Act No. 783 of the Acts of 1934, as amended by act No. 301 and act No. 345 of the Acts of 1935, known as the Housing Authorities Law, together with all proceedings, acts and things undertaken, performed or done with reference thereto, are hereby validated, ratified, confirmed, approved and declared legal in all respects, notwithstanding any want of statutory authority or any defect or irregularity in such acts or proceedings.

§ 2. **Such authorities bodies corporate and politic—duties and powers.**—The said Authorities or Housing Authorities are hereby constituted and declared to be bodies corporate and politic with all the powers, rights and duties set forth in act No. 783 of the Acts of 1934, as amended by act No. 301 and act No. 345 of the Acts of 1935, and any other amendments thereto.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.
Approved the 10th day of May, 1937.

(239)

No. 648.

A JOINT RESOLUTION Authorizing Payment Without Presentation of Certain Interest Coupons Detached From Santee Bridge District Bonds, and Providing Protection for the State and State Treasurer Against Loss Resulting from Such Payment.

Whereas, Two interest coupons in the aggregate amount of sixty (\$60.00) dollars, detached from Santee Bridge District Bonds numbered 230 and 231, due July 3, 1936, have been lost and for that reason cannot be presented for payment; and

Whereas, The Clarendon Cash Depository is the owner of the said coupons and is entitled to payment therefor: *Now therefore*:

Section 1. State treasurer pay certain interest coupons detached from Santee bridge district bonds Nos. 230 and 231.—Be it resolved by the General Assembly of the State of South Carolina: That, the State Treasurer of South Carolina, upon receipt of evidence required to be produced under Section 2 of this Act, is authorized, empowered and directed to pay unto the claimant the sum evidenced by the aforesaid interest coupons, due July 3, 1936, and detached from bonds numbered 230 and 231 of Santee Bridge District without presentation of said coupons.

§ 2. Prerequisites to payment.—That, before either of the aforesaid coupons shall be paid without presentation, the claimant shall first file with the State Treasurer affidavit setting forth the identification, ownership and loss, and shall also file with the State Treasurer bond executed by a surety company doing business as such in this State in a penal sum for double the amount paid to indemnify the State of South Carolina and the State Treasurer against any loss which may be suffered by reason of payment of said coupons without presentation.

§ 3. This Resolution shall become effective upon its approval by the Governor.

Approved the 1st day of April, 1937.

(98)

No. 649.

AN ACT to Authorize and Direct the State Highway Department to Construct a Section of Road at the State Training School at Clinton in Laurens County.

Section I. State highway department construct certain roads at State Training School and connect same with U. S. highway 76.—Be it enacted by the General Assembly of the State of South Carolina: The State Highway Department is hereby authorized and directed to construct, including the necessary curb and gutter and sidewalks, and bituminous surface certain roads within the grounds of the State Training School in Laurens County, and connecting same with U. S. Highway No. 76, a distance of approximately 1.4 miles. The cost of this construction shall be paid from the State Highway Fund.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937.

(198)

No. 650.

AN ACT to Require the State Highway Department to Pave Certain Roads at the South Carolina Industrial School for Boys at Florence.

Section I. State highway department pave certain roads at South Carolina Industrial School for Boys.—Be it enacted by the General Assembly of the State of South Carolina: That the State Highway Department be required and directed to pave with bituminous surface treatment such roads at the South Carolina Industrial School for Boys at Florence as shall be designated by the superintendent thereof and the State Highway Commission and the road from the end of south Dargan Street to Church Street extension so as to connect said school with the State Highway; all of said paving not to exceed one and one-half ($1\frac{1}{2}$) miles.

§ 2. This Act shall take effect immediately upon its approval by the Governor.

Approved the 24th day of March, 1937.

(222)

No. 651.

AN ACT to Authorize and Direct the State Highway Department to Construct a Section of Road at the Dr. John De La Howe Industrial School, a State School, Near McCormick, McCormick County.

Section 1. State highway department construct road at Dr. John De La Howe Industrial School.—Be it enacted by the General Assembly of the State of South Carolina: That the State Highway Department is hereby authorized and directed to construct with bituminous surface a section of road from the entrance to school grounds on McCormick side of State Highway No. 82 to exit from school grounds on Willington side of State Highway No. 82, at the Dr. John De La Howe Industrial School, a State School, near McCormick, McCormick County, a distance of approximately 1.7 miles. The cost of this construction shall be paid from the State Highway Fund.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 26th day of March, 1937.

(237)

No. 652.

AN ACT to Authorize and Direct the State Highway Department to Construct a Section of Road at the Industrial School for Girls in Richland County.

Section 1. State highway department construct road at Industrial School for Girls.—Be it enacted by the General Assembly of the State of South Carolina: That the State Highway Department is hereby authorized and directed to construct a section of bituminous surfaced road from U. S. Route 76 towards and around the main building and the building now under construction at the Girl's Industrial School, thence to the cow barn and back to the road at the main building, a distance of approximately one-half mile. The cost of this construction shall be paid from the State Highway fund.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Act shall take effect immediately upon its approval by the Governor.

Approved the 1st day of April, 1937.

(114)

No. 653.

A JOINT RESOLUTION. to Authorize and Direct the State Highway Department to Investigate and Pay Claims or Obligations Incurred During the Military Control of the Highway Department.

Section I. State highway department investigate obligations incurred by highway department during military control—pay certain.—Be it resolved by the General Assembly of the State of South Carolina: The State Highway Department is hereby authorized and directed to investigate all claims or obligations incurred by the Highway Department during the period of military control and the said Department is hereby further authorized and directed to pay such claims as the Department may determine to be just and for which proper value has been received by the State.

§ 2. All Acts of parts of Acts inconsistent with this Act are hereby repealed to the extent of such inconsistency.

§ 3. This Resolution shall take effect immediately upon its approval by the Governor.

Approved the 25th day of February, 1937. •

(411)

No. 654.

AN ACT. to Authorize the Construction, Remodeling and Re-Erection of Buildings, the Equipping of Same, and the Extension of the Water Main by the Board of Regents of the South Carolina State Hospital, the Cost of Same Not to Exceed \$173,000.00; and to Provide for the Payment of Same.

Section 1. Nurses' home and employees' building and research laboratory for state hospital—extend water mains to state park.—Be it enacted by the General Assembly of the State of South Carolina: That the Board of Regents of the South Carolina State Hospital is hereby empowered and authorized, with funds not to exceed One Hundred Seventy-three Thousand (\$173,000.00) Dollars, to be obtained as hereinafter provided, to construct and/or remodel, at the site of the South Carolina State Hospital, a building to be used as a Nurses' Home and Employees' Building, and to equip the same, and to construct at the same site a building for a Research Laboratory and to equip the same, and to extend the water main from the corporate limits of the City of Columbia to State

Park and connect the same with the building now used as a Hospital for colored patients. The said Board is authorized to exercise full discretion in planning and executing the work in connection with the aforementioned projects.

§ 2. Contract for loan—revenues pledge pay.—The said Board of Regents is empowered to enter into a contract with the Federal Emergency Administration of Public Works or any other Federal Agency pursuant to the National Industrial Recovery Act or other provision by the Federal Government, to obtain a loan for the construction and equipping of the building and for the construction of the water main, and making connections therewith referred to in Section 1 above, and to pledge, for the payment of any notes, bonds, or other obligations evidencing loans, the fees from pay-patients accruing to the South Carolina State Hospital. Specific authority is hereby conferred upon the said Board to execute such obligations and to determine upon the maturities thereof, the rate of interest, the installments of principal, the time of payment, and all other details prescribed as a condition to the obtaining of a loan consistent with the limitations and powers expressed in this Act, and to do any and everything incident to the consummation of such transactions, *Provided*, That no liability or obligation shall exist or arise for the payment of any such indebtedness by the South Carolina State Hospital or by the State of South Carolina from any other source except the revenues herein specifically pledged. The total amount herein authorized to be obtained by grant or loan, or by grant and loan, shall not exceed One Hundred seventy-three thousand (\$173,000.00) Dollars, and the Board of Regents is authorized and empowered to allocate the funds herein authorized to be obtained among the several purposes herein named.

§ 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect upon its approval by the Governor.

Approved the 30th day of April, 1937.

(606)

No. 655.

AN ACT. to Amend An Act Entitled "An Act to Authorize the Construction, Remodeling and Re-Erection of Buildings, Etc.", Approved April 30, 1937, so as to Empower the Board of Regents to Borrow From the Commissioners of the Sinking Fund of the State or Other Party.

Section 1. Act 654, 1937 Acts, amended—board of regents of state hospital borrow from any source funds make certain improvements.—Be it enacted by the General Assembly of the State of South Carolina: That an Act entitled “An Act to Authorize the Construction, Remodeling and Re-Erection of Buildings, the Equipping of same and the Extension of the Water Main by the Board of Regents of the South Carolina State Hospital, the Cost of Same not to Exceed \$173,000.00; and to Provide for the Payment of Same” be, and the same is hereby amended, in Section 2 thereof, by inserting after the words “or other provisions by the Federal Government”, and before the words “to obtain a loan”, the words “the Commissioners of the Sinking Fund of South Carolina, or other party or parties from whom any such funds may be borrowed”, so that so amended the said Section 2 of the said Act shall read as follows:

“Section 2: The said Board of Regents is empowered to enter into a contract with the Federal Emergency Administration of Public Works or any other Federal agency pursuant to the National Industrial Recovery Act or other provisions by the Federal Government, the Commissioners of the Sinking Fund of South Carolina or other party or parties from whom any such funds may be borrowed, to obtain a loan for the construction and equipping of the building and for the construction of the water mains, and making connection therewith referred to in Section 1 above, and to pledge, for the payment of any notes, bonds, or other obligations evidencing loans, the fees from pay-patients accruing to the South Carolina State Hospital, Specific authority is hereby conferred upon the said Board to execute such obligations and to determine upon the maturities thereof, the rate of interest, the installments of principal, the time of payment, and all other details prescribed as a condition to the obtaining of a loan consistent with the limitations and powers expressed in this Act, and to do any and everything incident to the consummation of such transactions, *Provided*, That no liability or obligation shall exist or arise for the payment of any such indebtedness by the South Carolina State Hospital, or by the State of South Carolina from any other source except the revenues specifically pledged. The total amount herein authorized to be obtained by grant or loan, or by grant and loan, shall not exceed One Hundred Seventy-three Thousand (\$173,000.00) Dollars, and the Board of Regents is authorized and empowered to allocate the funds herein authorized to be obtained among the several purposes herein named.”

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.
Approved the 15th day of May, 1937.

(464)

No. 656.

AN ACT to Declare a Closed Season for Three (3) Years for Fishing for Sturgeon.

Section I. Closed season for three years fish for sturgeon.—Be it enacted by the General Assembly of the State of South Carolina: There is hereby declared a closed season in all of the waters of South Carolina for a period of Three (3) years, from the approval of this Act, for fishing for Sturgeon.

§ 2. **Penalty.**—Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred (\$100.00) dollars or imprisoned not exceeding thirty (30) days in the discretion of the court.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 4. This Act shall take effect on January 1st, 1938.

Approved the 30th day of April, 1937.

(519)

No. 657.

A JOINT RESOLUTION to Provide for the Renewal of Extension of Certificates of Teachers in the Public Schools of This State Without Attendance Upon Summer Schools.

Section 1. Renew or extend certificates of teachers for one year.—Be it enacted by the General Assembly of the State of South Carolina: That, upon application therefor to the State Board of Education, the said Board is authorized and directed to renew or extend the certificates of all teachers in the public schools of this State for a period of one year from June 30, 1937, inclusive of teachers whose certificates expired during the year 1936, without attendance upon summer schools.

§ 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 3. This Resolution to take effect upon its approval by the Governor.

Approved the 10th day of May, 1937.

(489)

No. 658.

A JOINT RESOLUTION to Authorize and Direct the State Treasurer to Pay H. H. Howland the Sum of Ten (\$10.00) Dollars to Reimburse Him for Charter Fee Paid in Proposed Incorporation of the Town of Gloversville.

Whereas, H. H. Howland recently paid the State Treasurer the sum of Ten (\$10.00) Dollars in the matter of the proposed incorporation of the town of Gloversville;

Whereas, the incorporation proceedings have been abandoned, *Now Therefore*:

Section 1. Reimburse H. H. Howland for fee paid for charter in proposed incorporation of town of Gloversville.—Be it resolved by the General Assembly of the State of South Carolina: That the State Treasurer be, and he is hereby, authorized and directed to return to H. H. Howland, by check of the State, the sum of Ten (\$10.00) Dollars heretofore paid into the funds of the State in the matter of the said proposed incorporation.

§ 2. This Joint Resolution shall take effect immediately upon its approval by the Governor.

Approved the 4th day of May, 1937.

(365)

No. 659.

A JOINT RESOLUTION to Provide a Sum of Money for the Dependent Mother of Deronda Milam, Who Was Murdered While Discharging His Duties as a State Highway Patrolman.

Whereas, Deronda Milam while serving as a member of the State Highway Patrol and while valiantly discharging his duties as such was murdered on the 25th day of December, 1934, and

Whereas, Deronda Milam was the main support of his widowed mother, Mrs. Marie L. Milam, and she is now in needy circumstances, *Now Therefore*

Section 1. Pay Mrs. Marie L. Milam \$3,000.00.—Be it resolved by the General Assembly of the State of South Carolina: That Mrs.

Marie L. Milam be paid the sum of Three Thousand (\$3,000.) Dollars.

§ 2. **Above amount appropriated—payment.**—An amount sufficient to pay the above sum is hereby appropriated and the Comptroller General is hereby ordered to draw warrant on the State Treasurer for the said amount and the State Treasurer is hereby ordered to pay the same.

§ 3. All Acts or Joint Resolutions inconsistent with the provisions hereof are hereby repealed.

§ 4. This Joint Resolution shall take effect upon its approval by the Governor.

Approved the 21st day of April, 1937.

(343)

No. 660.

A JOINT RESOLUTION to Provide a Committee to Investigate and Report Upon the Manner in Which Farmers' Cotton Pledged Under the Government Loan Plan Was Handled.

Whereas, at the 1936 Session of the General Assembly of the State of South Carolina, a Concurrent Resolution (H.2486, S.1993, recorded in Senate Journal No. 80, Page 6) was adopted authorizing and directing the Commissioner of Agriculture, Commerce and Industries "to investigate and report upon the manner in which farmers' cotton pledged under the Government loan plan was handled", and

Whereas, it appears that the said Commissioner of Agriculture, Commerce and Industries pursuant to said Resolution, began such investigation but being without legal authority under the said Resolution to compel the attendance of witnesses and do other things necessary to ascertain complete facts upon which to make a thorough and comprehensive report; and

Whereas, it further appearing that certain witnesses who were summoned by the said Commissioner of Agriculture, Commerce and Industries to testify at said investigation, refused to divulge all the facts within their knowledge or to submit books of records and documents pertinent and essential to the matter of inquiry; and

Whereas, it is the sense of this body that the said Commissioner of Agriculture, Commerce and Industries, in order to make a complete and thorough investigation of the matters in question, be vested with such legal authority as will enable him to do all the things

which, in his judgment, are necessary to complete the said investigation, *Now Therefore*

Section 1. Committee investigate methods employed in handling certain farmers' cotton pledged to federal government.—Be it resolved by the General Assembly of the State of South Carolina: That a committee of six (6) be empowered and directed to complete the investigation and report upon the methods employed in handling farmers' cotton pledged to the Federal Government under the loan plan effective during the years 1933, 1934 and 1935, as to grades, staples and weights, and any and all factors giving rise to expense charges against all such cotton and prices received by farmers for same, and to this end this Committee is authorized and empowered to subpoena witnesses, administer oaths, take testimony and require the production of all books, records and papers in this State which, in any manner, could furnish any information on the subject matter under investigation. The said Committee is further authorized and empowered to take all such seasonable steps and actions as in their judgment will enable them to carry out this purpose and effectuate a saving to the farmers, or any holders of such cotton.

§ 2. Selection.—That two (2) members of the committee shall be selected from the Agriculture Committee of the House, selected by the said committee; two (2) from the Agricultural Committee of the Senate, selected by the said committee; one be appointed by the Speaker of the House; one be appointed by the President of the Senate.

§ 3. Report—act when report of commissioner of agriculture filed.—Upon the completion of the information and compilation of the report, this Committee is directed to report to the General Assembly at its earliest convenience; *Provided, However*, that the Committee shall take no action hereunder until after the Commissioner of Agriculture shall have filed a report in compliance with a Concurrent Resolution heretofore adopted by the General Assembly.

Approved the 17th day of April, 1937.

(594)

No. 661.

A JOINT RESOLUTION to Establish a Joint Committee on Rural Electrification Providing for its Appointment, Designating Its Powers and Duties.

Section I. Joint committee on rural electrification.—Be it resolved by the General Assembly of the State of South Carolina:

That there is hereby established a Joint Committee on Rural Electrification.

(b) The Joint Committee shall be composed of three members of the Senate appointed by the President of the Senate, and three members of the House of Representatives, appointed by the Speaker of the House of Representatives.

(c) The Chairman of said Joint Committee shall be elected from and by the membership thereof.

(d) There shall also be a member of the Senate Committee designated by the Senate as Vice-Chairman of the Joint Committee. Said Vice-Chairman shall receive all matters, hereinafter specified, originating in the Senate and refer them to the Joint Committee. A Representative of the House Committee shall in like manner and for the same like purpose be designated as Vice-Chairman for the Joint Committee.

§ 2. Duties.—It shall be the duty of the Joint Committee:

(a) To investigate and give thorough consideration to all legislative matters pertaining to Rural electrification as applicable to modern farm organization and development.

(b) To report from time to time to the Senate and House of Representatives the results of its investigation, together with such recommendations as it deems advisable. All such reports shall be made upon the majority vote of the Joint Committee, and shall be submitted to both Houses by their respective Vice-Chairman.

(c) The function of the Joint Committee shall be to furnish continuous cooperation between the Authority and the legislature, so that the purposes of rural electrification as above set forth may be most effectively accomplished.

§ 3. Powers.—The Joint Committee, or any sub-Committee thereof shall have power to hold hearings and to sit and act at such times and places within the State as the Chairman shall designate, either during session of the General Assembly, or subsequently during the interim after final adjournment thereof.

(a) To require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, as it deems necessary to effect the functions herein or hereafter imposed upon the committee

(b) Subpoena shall be issued under the signature of the Chairman of the said Joint Committee and shall be served by any person designated by him.

§ 5. **Duration.**—This Resolution shall be in force and effect for a period of two years from, and shall take effect upon, its approval by the Governor.

Approved the 14th day of May, 1937.

(452)

No. 662.

A JOINT RESOLUTION to Authorize and Direct Legislative Investigation of the State Constabulary State Highway Patrol, and Any Other Law Enforcement Agency or Service in the State; to Create a Joint Legislative Committee for This Purpose; to Define the Duties, Powers and Authority of Said Committee and to Appropriate Funds for Such Investigation.

Whereas, on March 8, 1937, the Greenville County Jury made a recommendation providing for a legislative investigation of law enforcement in this State, with particular reference to that branch commonly known as the State Constabulary, created and provided for by the provisions of Section 21 of Act No. 232, Acts of the General Assembly of 1935, approved the 14th day of May, 1935; and

Whereas, the said recommendation of the said Greenville County Grand Jury is in effect a serious indictment of law enforcement; and

Whereas, it appears desirable that a legislative investigation of all law enforcement activities be made, *Now Therefore*,

Section 1. Joint legislative committee investigate law enforcement agencies—appointment—vacancy—powers of members.—Be it recolved by the General Assembly of the State of South Carolina: That a joint committee consisting of three Senators, appointed by the President of the Senate, and three members of the House of Representatives, appointed by the Speaker of the House, is hereby created and established, to be known as A Joint Legislative Committee to Investigate Law Enforcement Agencies. Any vacancies which may occur on said Committee shall be filled by the President of the Senate, as to Senators, and the Speaker of the House, as to members of the House of Representatives. The said Committee shall organize by electing from its membership a Chairman, a Vice-Chairman and a Secretary. That for the purpose of the investigation hereby authorized each and every member of the said Committee is hereby authorized and empowered, separately and individually, or collectively, to exercise the power and authority herein conferred upon the whole Committee.

§ 2. **Receive expenses.**—The members of said Committee shall receive no compensation for their services, but shall receive their actual expenses for the performance of their official duty as authorized by law for State officials while on official duty.

§ 3. **Duty—peace officers assist.**—It shall be the duty of the said Committee to make a fair, impartial and complete investigation of law enforcement in the State of South Carolina and of the relation of the peace officers or any other officials of South Carolina or any political sub-division thereof in relation thereto. The said Committee may, at any time it deems advisable, call to its assistance any officer of the State, or peace officers of any kind, whose duty it shall be to render to the said Committee any reasonable service that may be required by it within the scope of its functions, as prescribed by this Resolution.

§ 4. **Employees—payment of expenses.**—The said Committee is authorized and empowered to employ attorneys and other assistants to assist and advise with it, and to investigate under its direction as it may deem advisable. It shall also have power and authority to elect a Marshal who, upon being sworn, shall be and become a peace officer of the State, invested with all the powers of sheriffs and constables in the service of any process issued by the Committee, and with the power to arrest and imprison in any County jail, upon the order of the said Committee, any and all persons who shall fail and refuse to obey any legal orders of the said Committee, or who shall be guilty of any disorderly conduct in the presence of said Committee during any session thereof, or who shall be guilty of any contempt of the said Committee. All expenses of the said Committee herein authorized shall be paid upon the warrant of the Chairman of said Committee, attested by the Secretary, out of the fund herein appropriated for the purpose of this investigation.

§ 5. **Take testimony—hold hearings.**—The Committee shall have power and authority to take testimony and hold hearings at any place either within or without the State.

§ 6. **Witnesses.**—The Committee is hereby authorized and empowered to call before it by summons or notice, in such form as the Committee may adopt, and to be served by the Marshal of said Committee, or such other officer as the Committee may designate, such person or persons as the Committee may deem proper, and require such person or persons to answer, under oath, any and all questions that the Committee may deem relevant, and may propound to him or

them; and upon the failure or refusal of such person or persons to obey such summons or notice, or to answer such question or questions, such person or persons shall be deemed to be in contempt of the authority of said Committee and may be imprisoned upon the order of said Committee in the common jail of any county, to be there held until he or they shall comply with the order of the said Committee. All testimony given before said Committee shall be privileged, and no testimony given by any witness before said Committee shall be used as evidence in any criminal proceeding against him in any Court, except in a prosecution for perjury committed in giving such testimony, but an official paper or record produced by him is not within the said privilege. No witness shall be privileged to refuse to testify to any fact, or to produce any paper, or document, respecting which he shall be examined by said Committee, upon the ground that his testimony to such fact or production of such paper or document may tend to disgrace him or otherwise render him infamous.

§ 7. Records.—The Committee is hereby authorized and empowered to send for and require the production of any and all books, papers or other documents or writings which may be deemed relevant to such investigation, and to require such person or persons in the custody or possession of such papers to produce the same before said committee; and the Committee may also designate its attorney or agent to examine any books, papers, or other documents or writings prior to the production of the same before the said Committee which it may deem relevant to such investigation in order that orderly hearings may be held. Any person or persons who shall fail or refuse to permit the said examinations, or to act on the order or notice of the said Committee to produce said books, papers, documents or other writings shall be deemed guilty of contempt of said Committee and be punished by said Committee therefor.

§ 8. Oaths—perjury.—The said Committee shall have power to administer all necessary oaths; and any person who, after being sworn before the said Committee or its members, shall swear falsely shall be guilty of perjury, and, upon conviction, shall be punished therefor as provided by law.

§ 9. Appropriation—investigate office of state treasurer and comptroller general.—For the purpose of meeting the expenses of said investigation, there is hereby appropriated the sum of ten thousand (\$10,000.00) dollars, and the Comptroller General is here-

by authorized and directed to set the same up as a separate account on his books.

To provide that the amount authorized to be spent by the Committee shall not exceed \$10,000.00 and amend further to provide that investigation shall be made into the office of the State Treasurer and the Comptroller General.

§ 10. **Report.**—The said Committee shall report to the General Assembly not later than February 15th at the next regular session of the Legislature.

§ 11. **Invalidity.**—Should any provision of this Resolution be held unconstitutional by any Court of competent jurisdiction, such holding shall not effect the remaining provisions.

§ 12. This Resolution shall take effect immediately upon its approval by the Governor.

Approved the 1st day of May, 1937.

(421)

No. 663.

A JOINT RESOLUTION. to Provide for the Investigation of the Advisability of the Passage of a Retirement Act or Old Age Benefit Payments for Public School Teachers Who Have Reached the Age of Sixty-Five Years.

Whereas, The Federal Government, by and with the cooperation of the respective states, has passed certain legislation which provided for the payment of certain employees upon reaching the age of sixty-five a pension, which act is commonly known and designated as the Social Security Act; and

Whereas, there has been no provision made in said Social Security Act for the inclusion of public school teachers under the benefit of this legislation; and

Whereas it is very desirable that the public school teachers of this State should be provided for along with and in the same manner with other classes of workers, provision for which has been heretofore made, *Now, Therefore*,

Section 1. Committee investigate advisability enacting legislation provide for retirement and pension of public school teachers who reached age of 65 years.—Be it resolved by the General Assembly of the State of South Carolina: That there is hereby created a joint committee, whose personnel shall consist of the following: three members of the House of Representatives, to be appointed

by the Speaker of the House of Representatives, three members of the Senate, to be appointed by the President of the Senate; one member to be designated by the State Superintendent of Education from the State Department of Education, and two members to be appointed by the President of the South Carolina Education Association, with full power and authority to conduct an investigation as to the advisability of enacting such legislation as is necessary to provide for the retirement and/or pension of public school teachers of the State of South Carolina who have reached the age of sixty-five years.

§ 2. **Organize—powers.**—Immediately upon appointment of members of this committee they shall organize by election one of their number as Chairman and another of their number as Secretary, and shall have full power and authority as is necessary to effect the purpose of this resolution.

§ 3. **Report.**—The committee shall immediately proceed to make the investigation herein provided for and shall make its report to both Houses of the General Assembly at this or the next session, together with such recommendations as the committee may in its discretion see fit to offer.

§ 4. This Resolution to take effect immediately upon its approval by the Governor.

Approved the 29th day of April, 1937.

(89)

No. 664.

A JOINT RESOLUTION Providing for the Appointment of a Committee to Investigate the Dealings Between the State Treasurer and the Firm of McAllister, Smith and Pate, in Reference to Certain Securities Held by the State Treasurer and to Report Their Findings and Recommendations to the General Assembly.

Whereas, the Governor has by special message brought to the attention of the General Assembly the question of the authority of the State Treasurer and Finance Committee to sell securities belonging to the State; and

Whereas, The State Treasurer has by letter to both branches of the General Assembly welcomed an investigation of the recent sale of securities owned by the State: *Now, Therefore*,

Section 1. Committee investigate dealings between state treasurer and McAllister, Smith and Pate.—Be it resolved by the General Assembly of the State of South Carolina: That a Committee of three (3) members be appointed by the Speaker of the House to act with a like number to be appointed by the President of the Senate to investigate the recent sale of securities to McAllister, Smith and Pate, and to report to the General Assembly their findings, and recommendations.

§ 2. Powers of committee.—That the Joint Committee of the House and Senate appointed as herein provided for, be authorized and empowered to subpoena witnesses, require the production of documents and have such other authority as is necessary to make a full and complete investigation and report.

§ 3. All Acts or parts of Acts inconsistent with this Joint Resolution are hereby repealed.

§ 4. This Joint Resolution shall take effect upon its approval by the Governor.

Approved the 24th day of February, 1937.

(764, 1936 Acts)

No. 665.

AN ACT to Provide for the Construction of a Certain State Highway in Marion County Pursuant to Reimbursement Agreement Between the State Highway Commission and Marion County, to Authorize the Making of Such an Agreement and the Issuance of Marion County Bonds for Said Purposes and to Provide for the Payment of Said Bonds.

Section 1. Marion County issue bonds construct certain state highways.—Be it enacted by the General Assembly of the State of South Carolina: The Board of Commissioners of Marion County be and the same is hereby authorized to issue serial bonds of Marion County upon the conditions hereinafter stated for the purpose of raising moneys to aid in financing the construction of State Highway No. 57 between Mullins and the Dillon County line.

§ 2. Bonds.—Said bonds shall bear interest at a rate not exceeding four and one-half per centum ($4\frac{1}{2}\%$) per annum, payable semi-annually, and shall mature at such time or times not exceeding twenty (20) years from date of said bonds, and shall be issued in such

form and denominations as the Senator and at least one-half of the members of the Delegation from Marion County in the General Assembly may direct in writing. The said bonds shall be signed by such County officials as shall be designated by the Senator and at least one-half of the members of the Delegation from said county in the General Assembly, and the seal of the Board of Commissioners of Marion County shall be affixed to or impressed upon the said bonds. The delivery of the bonds shall be valid notwithstanding any change in officials or seal occurring after the execution of the bonds. The bonds shall be sold for not less than par and accrued interest. They shall be sold upon sealed proposals after publication of notice of such sale one or more times at least fifteen (15) days before such sale. The award shall be made to the highest bidder but the county shall have the right to reject all bids and re-advertise the bonds for sale.

§ 3. Enter into reimbursement agreement with state highway commission.—No bonds shall be issued under this Act unless and without the Board of Commissioners of Marion County shall have previously entered into an agreement on behalf of such county with the State Highway Commission of South Carolina whereby the State Highway Commission shall have agreed to reimburse and repay said county for the moneys to be advanced by the County to the State Highway Commission pursuant to said agreement. The amount of bonds to be issued shall not exceed the amount necessary, as estimated by the State Highway Commission or the Chief Highway Commissioner, which amount shall be set forth in the reimbursement agreement. The Board of Commissioners of Marion County may, by the terms of said agreement, agree to advance to the State Highway Commission moneys necessary for the purpose of this Act, and the said Highway Commission may agree to reimburse and repay said county for all moneys so advanced. The Board of Commissioners of Marion County and the State Highway Commission shall have all powers necessary to enable them to carry out said agreement. The State Highway Commission shall reimburse and repay said county as aforesaid out of the funds authorized by other laws to be used for the construction of the State Highway System and so much of said funds as may be necessary for the purpose of making such reimbursement is hereby pledged irrevocably for said purpose, except the money needed in order to make the payments to which said funds may have been previously pledged, and said pledge

is hereby made a part of the contract between said county and the holders of said bonds. All moneys paid or reimbursed to the county by the State Highway Commission pursuant to the provisions of this Act are hereby pledged irrevocably for the purpose of paying the principal and interest of the bonds authorized to be issued pursuant to this Act. This pledge is hereby made a part of the contract between said county and the holders of said bonds. In fixing the time or times of maturity of said bonds the Board of Commissioners of Marion County shall consider the probable amounts to be received each year by way of reimbursement as aforesaid, and shall endeavor to arrange the times of maturity of said principal so that the levy of a tax will not be necessary in order to pay said principal, or interest.

§ 3-A. State highway commission pay certain interest on bonds.—In addition to agreeing to repay and reimburse the principal sum of money to be advanced by the county as aforesaid, the State Highway Commission is hereby authorized and empowered to agree to repay and reimburse such interest on said bonds as may become due on and after the date or time that the roads herein designated would have been constructed by the State Highway Commission in a normal course of construction and without means provided by this Act, such time or times to be determined by the State Highway Commission.

§ 4. Payment of bonds.—The full faith, credit and taxing power of Marion County are hereby irrevocably pledged for the punctual payment of the principal and interest of said bonds as such principal and interest become due. The County Auditor of Marion County is hereby authorized and directed to levy annually on all taxable property of such county a tax sufficient to pay said principal and interest as they respectively become due and the Treasurer of Marion County is hereby authorized and directed to collect said tax and apply it to said purpose, but all moneys, received by the County from the State Highway Department by way of reimbursement under the agreement herein provided for shall be applied to the payment of said principal and interest and to the reduction of said tax. It is the intention of this Act that all bonds issued hereunder shall be direct and general obligations of Marion County, payable primarily by means of a property tax.

§ 5. Bonds tax exempt.—All bonds issued under the provisions of this Act shall be exempt from all State, county or municipal taxes.

§ 6. **Type of construction.**—The construction herein authorized shall include such hard surface construction as may be determined by the State Highway Department.

§ 7. **“Highway” and “road” defined.**—The term “highway” or “road” as used in this Act shall include bridge and drainage structures.

§ 8. **Repeal—construction.**—All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency. This Act shall not be construed to be inconsistent with or repealing any other Act or Acts authorizing the issuance of bonds or other obligations for the purpose for which bonds are hereby authorized to be issued, but shall be held and construed to be cumulative thereto.

§ 9. **Time effective.**—This Act shall take effect immediately upon its approval by the Governor.

This act became effective, when the Governor, to whom it was presented June 5, 1936, neither approved it nor returned it to the house in which it originated within three days, the General Assembly being in session.

(340)

No. 666.

AN ACT to Order an Election to Decide Whether Elloree School District No. 70, of Orangeburg and Calhoun Counties, May Borrow Money to Provide a Gymnasium for the Use of Said School District, and Upon a Favorable Vote to Authorize the Borrowing Money for Such Purpose and to Provide for a Tax Levy to Repay the Same.

Section 1. Election on borrowing for gymnasium, Elloree School District No. 70, Calhoun and Orangeburg Counties—effect of favorable result.—Be it enacted by the General Assembly of the State of South Carolina: That an election shall be held in Elloree School District No. 70, Orangeburg and Calhoun Counties, upon notice of two weeks in a newspaper published in each of the Counties of Orangeburg and Calhoun on a day to be fixed by the Trustees of said School District, and the said Trustees shall appoint the managers to conduct such election, which shall be held in the Town of Elloree, in the County of Orangeburg. The expenses of such election may be paid from the ordinary school funds of said School District. All qualified electors residing in said School District,

whether in Orangeburg County or in Calhoun County, shall be permitted to vote at the said election. The said Trustees shall canvass the said election and file a report thereon with the County Superintendent of Education for each of the Counties of Orangeburg and of Calhoun and also file a re- thereof with the Clerk of Court of each of said Counties; that the question submitted to the qualified electors in the said election shall be as follows: "Shall the Trustees of Elloree School District No. 70 of Orangeburg and Calhoun Counties be authorized to borrow the sum of Ten Thousand (\$10,000.00) Dollars for the purposes of providing and furnishing a gymnasium for the benefit of the pupils in the schools of said district?" Those voting in favor of the proposal shall deposit a ballot with the word "yes" thereon; those voting against the proposal shall deposit a ballot with the word "no" thereon. In the event that a majority of the qualified electors voting in said election shall vote "yes" upon such election, then the following provisions of this Act shall immediately become effective, but not otherwise.

§ 2. Borrow.—That the Board of Trustees of Elloree School District No. 70 of Orangeburg and Calhoun Counties be, and is hereby, authorized and empowered to borrow up to the sum of Ten Thousand (\$10,000.00) Dollars upon pledge of the good faith and credit of said School District and of its good name for the payment thereof, and such sum may be borrowed from any bank or banks, individuals or institutions upon the best interest rate and terms obtainable, but not to exceed at any time the rate of six (6%) per centum per annum. That a note or notes may be issued and delivered for the payment of the sum borrowed, and such note or notes shall be signed by the Trustees of said School District and also countersigned by the Treasurer of Orangeburg County. That the interest on the amount borrowed shall be paid annually from the proceeds of the tax levy herein provided, and the said note or notes may be issued for a term of years not exceeding ten (10) years, and may be renewed from time to time as may be necessary or desirable; and the said note or notes shall be so executed and delivered that the total amount of this indebtedness may be paid within ten (10) years from the date of the approval of this Act.

§ 3. Deposit and disbursement of funds.—That the proceeds of the loan authorized in this Act shall be paid over to the Treasurer of Orangeburg County, who shall keep such amount in a separate fund, and from which payments shall be made as are other payments

from the ordinary funds of said School District; and the Board of Trustees is hereby authorized to draw claim or claims for the payment therefrom for providing, furnishing and equipping a gymnasium to be used in connection with the school or schools in said School District, and for other necessary expenses in connection therewith.

§ 4. Payment of loan.—That the County Auditor of Orangeburg County be, and he is hereby, authorized and directed to levy a tax annually upon all of the property located within the said School District and in the County of Orangeburg sufficient, along with a similar levy to be made upon the property located within the County of Calhoun, to provide for the payment of the amount borrowed under authority of this Act, together with interest thereon, so that a part of the original indebtedness and the accrued interest shall be payable each year, within ten (10) years from the date that this Act shall become effective; and the County Auditor of Calhoun County shall levy a similar tax upon all property located within the said School District, and in the County of Calhoun; and it shall be the duty of the County Treasurer of Calhoun County to collect the said tax and to pay over to the County Treasurer of Orangeburg County the amount of tax collected within said County from the tax levy hereby authorized; and from the amount of funds paid over to him by the County Treasurer of Calhoun County, together with the amount of tax collected, as other taxes are now collected by law, from the tax levy hereby authorized within the County of Orangeburg, the County Treasurer of Orangeburg County shall pay the amount of the indebtedness and interest thereon created under authority of this Act in such installments or in such amounts as will retire the total amount of said indebtedness, together with interest thereon, within ten (10) years from the time of this Act shall become effective.

§ 5. Date effective—repeal.—That Section 1 of this Act shall become effective immediately upon its approval by the Governor and the remaining Sections as provided in Section 1 hereof; and all Acts or parts of Acts inconsistent herewith be, and they are hereby, repealed.

Approved the 16th day of April, 1937.

(625)

No. 667.**AN ACT to Provide for the Reemployment of Teachers in the Various Schools of This State Unless They are Notified to the Contrary.**

Section 1. School teachers reemployed unless notified to contrary—time notify—acceptance by teachers.—Be it enacted by the General Assembly of the State of South Carolina: That in the event the Trustees of any School District in this State shall fail to notify any teacher, holding valid teacher's certificate, in their respective school in writing on or before June 1, or, in case on such date the school has not completed its State aid term and the number of teachers for which it qualifies is uncertain, then on or before the tenth day after the close of the State aid term, of each year to the effect that such teacher will not be re-employed for the next ensuing year, such failure to so notify such teacher shall be construed to be and shall be an act of re-employment of such school teacher for the next ensuing school year upon the same terms and conditions of such teacher's employment at the time of the failure to give such notice, in like manner as if a contract had been entered into between such school teacher and the Trustees of such School District for such re-employment; *Provided*, that such failure to so notify such teacher shall not be binding and shall not be considered re-employment of such teacher unless such teacher shall, on or before the fourteenth day after the expiration of the time above provided for the giving of such notice by the trustees, notify the trustees of the school, or the chairman of such Board of Trustees, of his or her written acceptance of such re-employment.

§ 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 3. This Act shall take effect upon its approval by the Governor.

Approved the 18th day of May, 1937.

RULES AND REGULATIONS ADOPTED PURSUANT TO AUTHORITY OF GENERAL AND PERMANENT LAWS

These rules and regulations published according to authority of Act No. 132, 1937 Acts, page 174, entitled: An Act to require rules and regulations issued pursuant to all general and permanent laws to be filed in secretary of state's office and to be published in the Acts and Codes of Laws of South Carolina; to fix duties of officers and agencies issuing such rules and regulations; the secretary of state and the code commissioner; and to provide for the expenses thereof.

§§ 1685 AND 5907, 1932 CODE—motor vehicles display front and rear license plates

The following rules and regulations are promulgated for administrative and law enforcement purposes:

Paragraph 1. The license plates proper shall remain the property of the State of South Carolina but shall be displayed as hereinafter required.

Paragraph 2. One license plate of each pair shall be displayed on the front and the other license plate exactly similar shall be displayed on the rear of the motor vehicle for which they were issued.

Paragraph 3. Both license plates shall be kept clean and shall be displayed so as to be open to view at all times. The rear license plate shall be so attached to the vehicle that the tail light will illuminate it and said plate shall be visible from the rear both day and night for a reasonable distance.

Paragraph 4. Both front and rear license plates shall be securely attached to the motor vehicle in a substantial manner, i.e., the plates shall be attached in such a manner as to be rigid, in order to prevent swinging or flapping.

Paragraph 5. The license plates shall be attached with bolts and nuts or similar devices. The use of string, wire or other flexible material is prohibited.

Paragraph 6. No other license plate, tag, sign, monogram or inscription of metal or paper composition shall be displayed above either the front or rear State license plates.

Paragraph 7. If one license plate is lost, either front or rear, the other or remaining license plate shall be delivered promptly—within ten (10) days in any case—to the Motor Vehicle Division, State Highway Department, Columbia, South Carolina. Application for replacement plates must be filed promptly—within ten (10) days in any case—with the Motor

Vehicle Division and the application shall be made upon forms which can be secured from any licensed motor vehicle dealer or direct from the State Highway Department. Application for replacement shall be accompanied by proper remittance—cashier's check, certified check, money order or currency—in the amount of One Dollar and Ten Cents (\$1.10).

Paragraph 8. If both license plates are lost, application for replacement shall be made to the Motor Vehicle Division as in the case where only one license plate is lost.

Paragraph 9. No motor vehicle shall be operated upon the highways of this State without having displayed at all times both front and rear license plates of identical number and classification. Operating with either the front or the rear license plate missing shall be deemed the same offense as operating without any license plate.

Paragraph 10. Motorcycles and trailers shall not be required to display but one license plate, which plate shall be displayed on the rear of such vehicle, open to view in the manner as hereinbefore provided.

Paragraph 11. If license plate is disfigured or defaced to an extent that makes it difficult to read, such plate shall be returned to the Highway Department with the other identical plate, together with application for replacement and proper remittance of One Dollar and Ten Cents (\$1.10). (Filed, secretary state's office—April 20, 1937.)

§ 1693, 1932 CODE—steam railroads equip coaches with cinder deflectors

No. 1. Cinder Deflectors.—Steam railroad companies are required to attach a permanent cinder deflector to windows on all passenger coaches used in this State. (Filed, secretary state's office—June 30, 1937.)

§ 5289, 1932 CODE—powers of state board of education

1. The Governor shall be Chairman, and the State Superintendent of Education, Secretary of the Board. (Filed, secretary state's office—April 21, 1937.)

2. The Board shall meet quarterly on the third Friday of March, June, September and December, respectively. Special meetings may be held at any time at the call of the Chairman or at the request of a majority of its members. (Filed, secretary state's office—April 21, 1937.)

3. The Secretary shall keep a record of the actions of the Board in a book provided for that purpose, which record shall be the only official record of its proceedings. (Filed, secretary state's office—April 21, 1937.)

4. The order of business shall be as follows: Calling to order, reading of minutes of the previous meeting, unfinished business, reports of committees, report of the Chairman, report of the Secretary, and new business. (Filed, secretary state's office—April 21, 1937.)

5. All resolutions shall be reduced to writing by the mover, and likewise all amendments. (Filed, secretary state's office—April 21, 1937.)

6. A motion must receive a second before it can be entitled to consideration by the Board. (Filed, secretary state's office—April 21, 1937.)

7. The Chairman and the Secretary are authorized to fill all vacancies that may occur in the County Boards of Education, and to report their action to the Board at its meeting for its consideration. (Filed, secretary state's office—April 21, 1937.)

8. All vacancies in the office of County Superintendent of Education shall be filled by ballot, and a two-third vote of the members shall be necessary to fill the vacancy. (Filed, secretary state's office—April 21, 1937.)

9. High schools receiving State support must run not less than nine months, or 180 days. (Filed, secretary state's office—April 21, 1937.)

10. The elementary schools in a high school district or consolidated high school district must run 180 days. (Filed, secretary state's office—April 21, 1937.)

11. High school recitation periods in all major subjects must be not less than forty-five minutes each. (Filed, secretary state's office—April 21, 1937.)

12. A school employing five teachers or six teachers shall not use any part of the time of more than two teachers in its high school department. (Filed, secretary state's office—April 21, 1937.)

13. A school employing seven or eight teachers may use not more than one-half the time of a third high school teacher in the high school department: **Provided**, that the enrollment in the high school department and the elementary department are in such proportion as to justify this division. All such schools are to be rated as two-teacher high schools. (Filed, secretary state's office—April 21, 1937.)

14. The elementary grades of any school must be adequately provided with teaching force before three or more teachers will be permitted in a high school. No teacher in the elementary department of any public school may have or teach more than fifty pupils a day. (Filed, secretary state's office—April 21, 1937.)

15. The supervising principal of a two-teacher high school must devote not fewer than four periods a day to teaching. (Filed, secretary state's office—April 21, 1937.)

16. The supervising principal of a three-teacher high school must not be counted as a full-time teacher unless he devotes as many as four periods a day to teaching. (Filed, secretary state's office—April 21, 1937.)

17. The supervising principal of a four-teacher high school will not be counted as a full-time teacher unless he devotes as many as three periods a day to teaching. (Filed, secretary state's office—April 21, 1937.)

18. No high school teacher other than the supervising principal will be counted a full-time teacher unless such teacher devotes as many as four periods a day to teaching. (Filed, secretary state's office—April 21, 1937.)

19. No high school will be accepted whose superintendent or supervising principal's salary is unreasonably out of proportion to the number of teachers he has to supervise or to the salaries of his assistants. (Filed, secretary state's office—April 21, 1937.)

20. No new high school will be approved which is established nearer than seven miles to a high school already approved without the consent of the State Board of Education. This regulation will not affect schools already established or which have made application for approval prior to July 1, 1924. (Filed, secretary state's office—April 21, 1937.)

21. After July 1, 1917, no high school may have fewer than five pupils enrolled in any grade. (Filed, secretary state's office—April 21, 1937.)

22. No high school student in a State high school will be permitted to carry more than five major subjects at a time. Under this regulation English is counted one subject. Latin with grammar or prose composition is one subject, history with civics is one subject, arithmetic, algebra, and geometry are three separate subjects, and each division of history is a separate subject. It is recommended that not more than 15% of the pupils of any high school grade be permitted to carry as many as five major subjects at a time. (Filed, secretary state's office—April 21, 1937.)

23. Each high school teacher must have a valid first grade high school certificate properly registered with the State Bureau of Examiners, Columbia, S. C. Credit for work done in State high schools which use teachers in the high school grades who hold elementary certificates or permits will not be allowed for State high school diplomas. College diplomas are not certificates. (Filed, secretary state's office—April 21, 1937.)

24. Every teacher in the elementary schools in a high school district or a consolidated high school district must hold a first grade certificate properly registered with the State Bureau of Examiners, Columbia, S. C. (Filed, secretary state's office—April 21, 1937.)

25. After July 1, 1917, every high school teacher must give evidence of his or her fitness to teach the subjects he or she teaches in that school. This fitness is to be determined by the course or courses pursued by the teacher in his or her preparation to teach or by examination prepared and directed by the State Board, or by inspection of the teacher's work to be reported to the State Board in writing by its representatives in cases where the teacher has already taught these subjects five years or more. (Filed, secretary state's office—April 21, 1937.)

26. State support may be withdrawn from any high school after two months' notice to the local Board for inefficient teaching, for the continuance of an inadequate course of study, or for lack of attendance. (Filed, secretary state's office—April 21, 1937.)

27. Every high school shall render with reasonable promptness such reports as are required by the State Board. All such reports are to be countersigned by the Secretary of the local School Board. Any school knowingly making an incorrect report in any matter affecting the stand-

ing of the school or its appropriation thereby subjects itself to being penalized by the State Board. (Filed, secretary state's office—April 21, 1937.)

28. To qualify its graduates for State high school diplomas, the entire teaching time of three full-time high school teachers is required in any high school. (Filed, secretary state's office—April 21, 1937.)

29. Graduates of a new high school will be eligible for State high school diplomas when such high school has been organized and operated as a recognized or State high school four scholastic years, provided they meet other requirements. (Filed, secretary state's office—April 21, 1937.)

30. While it is required that candidates for State high school diplomas offer four thirty-six-week sessions of approved high school work done in a satisfactory manner in the form of credentials, exceptions will be made in the case of worthy pupils who attend rural graded or other schools for part of their training, provided these pupils can present satisfactory records of full-time work completed in the tenth grades of State high schools that have operated as accredited high schools for at least three consecutive sessions and the eleventh grades of State high schools that have operated for at least four consecutive sessions as provided for in Rule 19. Credit will not be allowed for rural graded or other school work noted above except when done in schools having full nine months' sessions. (Filed, secretary state's office—April 21, 1937.)

31. All public high schools shall keep a system of permanent records for each pupil enrolled. This system must be approved by the High School Supervisor. In cases of transfer of high school pupils from one school to another credit will be allowed only when sent on approved forms. (Filed, secretary state's office—April 21, 1937.)

32. The State Board of Education in transferring high school pupils from one high school district to another under the authority given them in Section 11-A of the 6-0-1 law will consider no request for such transfer except when accompanied by a written permit from the board of trustees of the district in which pupil desiring transfer lives stating that the local board agrees to such transfer. (Filed, secretary state's office—April 21, 1937.)

33. After June, 1925, to become eligible for a state high school diploma, a pupil will be required to show satisfactory completion of subject matter grouped as follows:

English	4 units
One major.....	3 units
One minor.....	2 units
Another minor.....	2 units
Free electives.....	5 units

Total 16 units

(Filed, secretary state's office—April 21, 1937.)

34. All the high school regulations are to be met by the different type high schools now organized and to be organized except the regulation

of the State Board that high schools of all classifications operate for 36 weeks of 180 days. (Filed, secretary state's office—April 21, 1937.)

35. Pupils enrolled in the schools meeting the High School Standards as set up by the State Board and operating 36 weeks of 180 days are to continue to receive the present classification granted by the State Board. (Filed, secretary state's office—April 21, 1937.)

36. All schools operating for a term of less than nine months and meeting all other standards are to be recognized as high schools when they operate at least 32 weeks and have pupils under instruction for a period of five hours and 37.5 minutes exclusive of recesses each day. (Filed, secretary state's office—April 21, 1937.)

37. Pupils enrolled in schools operating under the 900-hour school law are to receive credit in proportion to the time given to subjects by individual pupils and achievement of these pupils in the subjects, just as is the case with pupils of the regularly organized high schools that operate for 36 weeks. (Filed, secretary state's office—April 21, 1937.)

38. Since the nationally defined and recognized unit is one-fourth of a year's work for an individual pupil and a school year is generally defined as a term of 36 weeks, the State Board will issue to a pupil completing four years of satisfactory work in a school operating under the State laws and the regulations of the State Board, a diploma signifying the completion of 16 credit units of work for four years and a year either defined as 36 weeks or 32 weeks, the differentiation in length of a year to be so stated on the certificate of the pupils completing the courses in the schools of respective terms; provided the recommendation of the high school principal, the high school superintendent, and the high school supervisor is given. (Filed, secretary state's office—April 21, 1937.)

39. In no case will a school organized under the regulation of the State Board of Education be permitted to switch from a term of 36 weeks to a term of 32 weeks after having been organized and approved by the State Board for a term of 36 weeks after January 1 of each year. Schools must apply for recognition and accreditation by filling out the proper application forms prior to October 15 of each school year. (Filed, secretary state's office—April 21, 1937.)

40. No class be permitted in a beginning subject with fewer than 10 pupils and no class continued in subjects requiring prerequisites with fewer than 5 pupils, provided advanced study, such as fourth year mathematics, is desired by fewer than 5 pupils, the work may be given on an individual basis; i. e., by independent study under direction of a teacher who outlines the study plans and examines the pupils. (Filed, secretary state's office—April 21, 1937.)

41. By alternations and combination of subjects, the number of teachers may be reduced, the enrollment in classes increased, and the same offerings continued. As examples: American history and Modern history may be alternated in the tenth and eleventh grades. Chemistry, biology, and physics may be rotated among the ninth, tenth, and eleventh grades, or

general science and biology may be alternated in the eighth and ninth grades. Plane geometry and advanced algebra with economics may be alternated in the tenth and eleventh grades. Tenth and eleventh grade English may be alternated. Ninth and tenth grades may be combined for first year Latin. (Filed, secretary state's office—April 21, 1937.)

42. If the size of classes meeting Requirement One, and if the schedule may be arranged to have pupils meet graduation requirements, two teachers may be sufficient for the school to qualify for accreditation, provided no teacher has over seven recitation periods of 50 or 45 minutes each day. Two laboratory periods make one recitation period. (Filed, secretary state's office—April 21, 1937.)

43. Fifty-minute periods in all subjects will be permitted to qualify for full credit of one unit in laboratory subjects, such as home economics, agriculture, and natural science, provided equipment is sufficient to justify the shorter period. All subjects, however, must be offered 50 minutes in the clear for the laboratory subjects to be so adjusted and projects requiring home work must be required in the vocational work. (Filed, secretary state's office—April 21, 1937.)

44. No school will be accredited for full standing unless there are as many as 50 pupils enrolled in the high school grades except that the first two years, eighth and ninth grades of schools which do not fulfill this requirement may have pupils to receive full credit by the authorities of the schools which they attend for tenth and eleventh grade work provided that the work for the first two years has been of sufficient achievement for the pupils to continue the advanced work in a full four-year high school. The ability of the pupil to continue the work is to be determined by the superintendent and teachers of the school which the pupils attend for advanced work. This applies only to schools within seven miles of each other. (Filed, secretary state's office—April 21, 1937.)

45. A school that employs five teachers or fewer may not offer more than one foreign language, the beginning class in the subject to be either in the ninth or tenth grade. (Filed, secretary state's office—April 21, 1937.)

46. A school that employs five or fewer teachers may offer major elective subjects only in the ninth, tenth, or eleventh grades. (Filed, secretary state's office—April 21, 1937.)

47. No schedule is to be recognized for credit without the approval of the High School Supervisor. It is suggested that superintendents and principals consult the High School Supervisor regarding combinations and alternations of subjects. All combinations are to be approved by the High School Supervisor. Summer is the best time to arrange the program of studies. (Filed, secretary state's office—April 21, 1937.)

48. A high school shall consist either of the eighth, ninth, tenth and eleventh grades, or of the seventh, eighth, ninth, tenth and eleventh grades. (Filed, secretary state's office—April 21, 1937.)

49. No school that employs fewer than four full time high school teachers may be accredited as a five year high school. (Filed, secretary state's office—April 21, 1937.)

50. No school may be accredited as a five year high school unless its organization, program of studies, and preparation of teachers is approved by the State Board of Education. (Filed, secretary state's office—April 21, 1937.)

51. State high school diplomas may be issued to graduates of five year high schools on the basis of twelve units earned in the ninth, tenth, and eleventh grades. The distribution of the twelve units shall be as follows:

One major.....	3 units
One minor.....	2 units
Another minor.....	2 units
Free electives.....	5 units

(Filed, secretary state's office—April 21, 1937.)

52. Library Standards for South Carolina High Schools:

I. Books and Periodicals. 1. Each accredited high school must have five library books per pupil exclusive of government documents and textbooks. No accredited school may have fewer than 500 books and no school shall be required to have more than 5000 books. All books up to 80% of the minimum required number must be selected from the following lists; The High School Library List contained in the Library Catalog of the South Carolina Education Association; 1000 Books for the Senior High School Library, The American Library Association, Chicago, Illinois; The Standard Catalog for High School Libraries, The H. W. Wilson Company, New York; Abridged High School Catalog, The H. W. Wilson Company, New York; and such other lists as the State Board of Education shall from time to time approve. These books should be distributed as follows:

	Per Cent
General Reference	6-10
Social Science	10-14
Science	6-10
Useful Arts	4- 8
Fine Arts	3- 7
Literature	10-18
Geography and Travel	3- 7
History and Biography	15-25
Fiction	20-25

2. Periodicals and Newspapers.

a. For schools having enrollments of 100 or fewer pupils—one daily newspaper and from 5 to 10 periodicals selected from the list covered by the Abridged Readers Guide to Periodical Literature.

b. For schools having enrolments from 101 to 200 pupils—one daily newspaper and from 8 to 15 periodicals selected from the Abridged Readers Guide to Periodical Literature.

c. For schools enrolling more than 200 pupils—two newspapers and one periodical for each 20 pupils up to a maximum of 20 periodicals.

d. For all schools—a subscription to the Readers Guide to Periodical Literature or to the Abridged Readers Guide to Periodical Literature.

II. Appropriation. Each accredited high school shall appropriate and spend annually for books, periodicals, etc., exclusive of salaries, \$1.00 per pupil for the first 300 pupils, \$.75 per pupil for the second 300 pupils, and \$.50 per pupil for each pupil in excess of 600 pupils.

III. Librarian. 1. For schools having enrolments of 100 or fewer pupils.—A teacher-librarian with at least 6 semester hours in library science in an approved library school devoting not fewer than two class periods per day to library service.

2. Enrolment of from 101 to 200 pupils—Teacher-librarian with at least 12 semester hours in library science in an approved library school devoting not fewer than three class periods a day to library service.

3. Enrolment of 201 to 400 pupils—Teacher-librarian with at least 18 semester hours of library science in an approved library school devoting not fewer than four periods a day to library service.

4. Enrolment of 400 or more pupils—Full-time librarian with same qualifications and educational background as teachers including 24-30 semester hours in an approved library school.

5. Schools employing teacher-librarians must keep the library open all day under supervision, using student help or study hall teachers. The teacher-librarian should be responsible for training all library assistants.

IV. Organization. All school libraries shall keep an accurate accession record, shall have a shelf list, a card catalog, and an adequate loan system.

V. Course in Use of Library. In each accredited high school the teacher-librarian or the librarian shall give to each pupil, preferably in the first year of high school, a minimum of six lessons in the use of the library.

VI. Housing and Equipment. Libraries may be housed either in library-study hall rooms or in special library rooms. Special library rooms must be equipped with tables, chairs, shelves, loan desk, magazine rack, bulletin board, catalog case, vertical files, typewriter, and other essential office furniture. The room should be large enough to accommodate one-tenth of the high school enrolment, allowing 25 square feet of floor area per person. The library-study hall should have the same equipment as the special library room except that desk or tablet-arm chairs may be substituted for tables and chairs.

VII. Standards Become Effective. These standards shall become effective July 1, 1937. Schools that do not at that time have the minimum number of books required shall add to their book collection each year not less than one-third of the difference between the number of books in the library as of July 1, 1937, and the number required under these standards. Librarian and teacher-librarian must have a minimum of 6 semester hours in library science in 1937-1938. Each year a minimum of 6 additional semester hours will be required; and the standards relating to training of librarians must be met in full by each school in 1940-1941.

VIII. Function. For purposes of accreditation of schools, the functioning of the library shall be given equal weight with the quantitative standards

set up in the preceding sections of these library standards. (Filed, secretary state's office—April 21, 1937.)

53. Health and Safety. All public schools shall teach health and safety in all grades with a minimum of twelve periods per year. (Filed, secretary state's office—April 21, 1937.)

54. Certification of Teachers. The following certificates shall be issued by the Bureau of Certification for teachers:

I. General Elementary—General elementary certificates shall be issued on the basis of scholastic and professional training and shall be either first-grade or second-grade.

a. A first-grade general elementary certificate shall be issued to any student of an accredited college submitting a full and satisfactory transcript of not less than two full years of standard and acceptable work, together with a recommendation from the head of the college where such work was done plus a clear and explicit statement from the applicant setting forth in detail his or her reasons for leaving college, as well as his or her reasons for seeking a teacher's license. Such certificate shall be valid for three years and may be renewed.

b. A second-grade general elementary certificate shall be issued on the basis of both a state high school diploma and a satisfactory transcript of one full year's work from an accredited college of this State. This transcript shall show that the applicant has successfully completed not less than thirty semester hours of standard college work leading to the A.B. or B.S. degree and it must contain a recommendation from the head of the college where the work was done plus a clear and explicit statement from the applicant setting forth in detail his or her reasons for leaving college, as well as his or her reasons for seeking a teacher's license. Such certificate shall be valid for two years and may be renewed.

II. Special—Special certificates are issued for work in agriculture, domestic science, domestic art, trade and industry, commercial branches, manual training, drawing, music, singing, physical education, kindergarten, and other subjects as occasion may require, upon the presentation of proper records showing that the required work has been done in the subject for which the certificate is asked. Such certificates when issued upon credentials which show four full years of acceptable work are valid for a term of five years and may be renewed. Such certificates when issued upon credentials which show less than four years of acceptable work in the special subject are valid for a term of two years and may be renewed.

III. Academic. A first-grade academic certificate shall be issued to any A.B. or B.S. graduate of an accredited college of this State upon presentation of proper records and recommendations. This certificate is valid for a term of three years and may be renewed.

b. A first-grade professional academic certificate shall be issued upon an A.B. or B.S. diploma from an accredited college of this State with a transcript showing eighteen semester hours in Education, is valid for a term of five years, and may be renewed.

IV. Whenever it is shown to be advisable this Board will issue provisional certificates but a request for a provisional certificate must be made in writing by at least two members of the Board of Trustees of the school which the applicant offers to teach and this request of the trustees must be approved in writing by the County Board of Education of the county. Provisional certificates shall be limited to one scholastic year and they are not transferable or renewable. The grade of certificate will be fixed by the Bureau of Certification, Columbia, S. C. (Filed, secretary state's office—April 21, 1937.)

55. Teachers seeking to renew first-grade or second-grade certificates must submit both evidence of successful teaching experience for at least one-half of the term of the certificates signed by school officials and a record of having completed in an approved six-weeks' summer school fifteen hours per week, including satisfactory examinations at the close of the summer school. (Filed, secretary state's office—April 21, 1937.)

56. No second-grade certificate issued after January 1, 1926, will be renewed more than once for full time of certificate, or extended more than twice for a period of one year. (Filed, secretary state's office—April 21, 1937.)

57. A second-grade certificate will be changed to first grade when the holder presents to Bureau of Certification satisfactory evidence as to the following conditions:

a. Of having taught successfully for two school years during the term of the certificate. Also

b. Of having completed thirty semester hours of work accepted for the A.B. or B.S. degree in an accredited college, or, of having attended four approved summer schools and having completed work accepted for the A.B. or B.S. degree and equivalent to twenty semester hours. (Filed, secretary state's office—April 21, 1937.)

58. Certificate credit for summer school work shall be allowed only where the organization, the course of study, and the faculty of the summer school have been approved by the State Board of Education. Every approved summer school must run at least six weeks. (Filed, secretary state's office—April 21, 1937.)

§ 5881, 1932 CODE—state highway commission fix eligibility requirements for bidders on state highway work

1. Effective July 1, 1930 all persons, firms or corporations eligible to bid on road or bridge construction work of the state highway department shall have qualified as herein required. No bids for such work will be read or considered by the state highway department after that date, except from persons, firms or corporations that have so qualified. Those who have qualified will be listed by the department as eligible contractors and each contractor will be given a rating designed to indicate the kind and quantity of work which he is eligible to be awarded. Eligible contractors will be classified as **general contractors**—these may be awarded

any class of work ordinarily undertaken by the highway department; **grading contractors**—these may be awarded projects that include grading and minor drainage structures; **paving contractors**—these may be awarded projects that include grading, minor drainage structures and paving; and **bridge contractors**—these may be awarded projects that consist of bridges and other similar structures. Each contractor who qualifies for any one of the four classifications will be rated according to the quantity of work that his experience, liquid capital, and responsibility record would in the judgment of the highway department warrant him in undertaking. (Filed, secretary state's office—April 20, 1937.)

2. Classifications and ratings will in each case be based on a verified showing of experience, liquid assets, responsibility record, and available equipment. A pre-requisite to classification and rating will be a sworn statement furnished the department by the applicant—this statement to be made on a form provided by the department and to carry all information required by the department. Contractors may be classified immediately upon presentation of the required sworn statement, but in no case will be rated as eligible to undertake construction work for the Department of a value greater than \$10,000.00 until the lapse of thirty calendar days after the date upon which the formal statement is presented; that is to say that the department may award construction contracts not exceeding \$10,000.00 in value to low bidders furnishing the required statements as to experience, capital and record of responsibility, regardless of whether such bidders have been previously classified and rated as qualified contractors. But in the case of contracts exceeding \$10,000.00 in value bids will be received only from contractors who have been formally qualified and whose classification and rating shall show them to be eligible for undertaking the work involved.

3. The sworn statement called for in Paragraph (2) two above shall be made up by filling in the department's standard questionnaire form and shall show:

(a) The experience of the applicant in handling the character of work for which he desires to become an eligible contractor.

(b) The liquid assets of the applicant available for carrying on construction work.

(c) A description of the equipment owned by the applicant suitable for carrying on such work.

(d) A list of references, giving names of responsible persons having knowledge of the applicant's character, experience and capabilities.

(e) Such other information as may be called for in the department's form.

4. Qualified contractors will be rated according to the following rules:

(a) Grading contractors and paving contractors must show liquid assets at least equal to 15% of the capacity or eligibility rating that will be assigned to them; that is to say, no grading or paving contractor will be eligible to bid on projects of a value so great that the contractor's liquid assets will not be at least equal to 15% of the contract amount.

(b) Bridge contractors must show liquid assets at least equal to 25% of the capacity or eligibility rating that will be assigned them. General contractors will be rated separately for each road and bridge work.

(c) In addition to the liquid assets necessary to be shown for a given capacity rating, contractors must also show that they possess and have available appropriate and sufficient equipment to perform satisfactorily the kind and quantity of work contemplated by the classification and rating, or in lieu of actual equipment on hand, the showing of liquid assets, together with verified credit, must be sufficient to provide the necessary equipment in addition to meeting the percentage requirements stated above.

(d) The experience showing made by qualified contractors will also affect their capacity ratings. Contractors who have performed work for the South Carolina state highway department in a satisfactory manner and who have demonstrated their responsibility to the satisfaction of the department will be assigned capacity ratings without further limitations than those indicated by Paragraphs a, b and c above—the classification in each case to be determined by the quality of work hitherto performed.

Contractors who have gained their experience and established their responsibility on work for other state highway departments will be given capacity ratings commensurate with the magnitude of such work performed by them as verified by official certificates of the other state highway departments concerned. The classification in each case will be appropriate to the experience showing.

Contractors who have gained their experience and established their responsibility on work for other agencies than state highway departments will be given capacity ratings according to their classifications as follows:

Bridge Contractors - - - - -	Not exceeding \$ 25,000.00
Grading Contractors - - - - -	Not exceeding 50,000.00
Paving Contractors - - - - -	Not exceeding 100,000.00
General contractors to be rated separately for the three classes of work.	

5. No applicant who has failed to carry out any contract awarded him by the state highway department of South Carolina will be qualified as eligible in any classification. This requirement, however, shall not serve to bar persons having so failed from serving as employees of otherwise eligible contractors.

6. Classification and capacity rating of qualified contractors will be fixed by the department subject to the foregoing limitations, the rating in each case to be limited by the requirement affording the maximum restriction.

Each contractor qualifying under these rules will be furnished a notice of his classification and rating, and bids from him will be read and considered only for contracts within the limitations thus fixed. Contractors whose capacity ratings are limited by the amount of their net liquid assets may by additional showing secure modifications in their ratings at any time up to twenty-four hours before submitting bids on any particular project. In like manner, whenever the department desires to re-

open the question of capacity rating for any particular contractor, additional sworn statements may be called for and the contractor's rating will be modified to conform with the new showing, provided that should any contractor fail to comply with the department's request for additional sworn statements within fifteen days after they are called for, then the department may change his capacity rating or declare him ineligible pending receipt of the new statement.

7. Regardless of capacity rating, no contractor whose progress on work under way is not satisfactory to the department will be awarded additional work. Also, contractors whose conduct of their work shows incompetency or irresponsibility may be disqualified without notice.

8. No contractor will be qualified until after he has secured a "Bidder's License" as required by law.

9. An eligible list will be kept by the state highway department showing qualified contractors, their classifications and ratings. Additions to this list will be considered once each month on dates to be fixed by the department. No contractor's name will be added to the list, however, until at least thirty days after he has filed his application for qualification together with the required sworn statements. (Filed, secretary of state's office—April 20, 1937.)

§ 5893, 1932 CODE—registration of motor vehicles—license plates

No. 1. Applications for Registration—Vehicle Registration Law.—For administrative purposes in the matter of filing of applications and contents thereof the following rules and regulations, to be used by the highway department in the determination of proper classification of motor vehicle licenses, are hereby made and promulgated:

Paragraph One: No application submitted to the motor vehicle division for motor vehicle license registration shall be deemed good, regular or sufficient unless all the information therein requested shall be answered to the reasonable satisfaction of the state highway department, particularly as to whether or not the vehicle to be registered during the license year for which application is being made is to be operated as a **personal private conveyance**, or as a **common carrier**.

Paragraph Two: The state highway department will rate and place in the classification of a **personal private conveyance** every motor vehicle (truck, trailer, semi-trailer, motorcycle and passenger) or every such motor vehicle not used in transportation for **compensation** as a **business**. Under this classification will also be placed those vehicles used or hired for the purpose of making some particular trip for **compensation or reward** and where the owner or operator of such vehicle **does not make such transportation a regular business**; all motor vehicles while used exclusively for transporting persons to and from schools, Sunday schools, churches and religious services of any kind or to or from picnics or upon special pre-arranged excursions; all motor vehicles while used exclusively for transporting United States mail on Star Routes; all motor vehicles

while used exclusively by farmers or dairymen not regularly engaged in the business of hauling dairy or farm products of others for compensation; all motor vehicles while used exclusively for transporting lumber and logs from the forest to the shipping points; and all taxicabs that do not operate beyond five miles from the limits of the municipality in which and from which they operate: **Provided**, that all such taxicabs are operated within the exemptions provided by Act No. 581, Acts of 1935.

Paragraph Three: The term "transportation for compensation as a business" or "business" or "regular business" as used in these rules and regulations means every person, firm or corporation (except those exempt from Sections 8507 to 8524, inclusive, Code of Laws of 1932, as amended) who makes arrangements with four or more shippers or patrons where-soever located for the transportation by motor vehicle (truck, trailer, semi-trailer, motorcycle and passenger) of persons or property for compensation over any improved public highway or street in this State and/or every person, firm or corporation who by advertisement or otherwise represents to the general public his readiness to so engage in such transportation service.

Paragraph Four: The state highway department will rate and place in the classification of **common carrier** all persons, firms or corporations operating motor vehicles, whether truck, trailer, semi-trailer, passenger vehicle or motorcycle as common carriers other than those included and described in Paragraph Two hereof.

Paragraph Five: These rules and regulations shall become effective on and after the first day of September, 1936. (Filed, secretary state's office—April 20, 1937.)

§ 5899, 1932 CODE—nonresidents pay license on motor vehicles operated in this state

No. 1. The term "non-resident" as used in the Act (No. 715, 1930 Acts) hereinabove referred to is hereby defined to mean any person, firm or corporation not engaged in any business, profession, occupation or employment in the state of South Carolina.

Any person who moves into the state of South Carolina for the purpose of engaging in any business, profession, occupation or employment immediately becomes a resident of this state and is immediately liable to the state for the payment of regular motor vehicle license fees in case such person operates a motor vehicle in the state, but for administration purposes the motor vehicle division, its officers and agents, are hereby authorized and directed to allow any such person a period of ten (10) days, without penalty, in which to secure motor vehicle license or licenses.

The words "motor vehicle license or licenses" as used herein refer to front and rear license plates as required by law. (Filed, secretary state's office—April 20, 1937.)

§ 5907, 1932 CODE—motor vehicles display front and rear license plates

See §§ 1685 and 5907, 1932 Code, this volume, page 1450.

§ 5975, 1932 CODE—advertisement or letting of contract or purchase under state highway bond act of 1929

These rules and regulations to govern every contract or purchase made by the state highway department and contemplating the expenditure of more than one thousand (\$1,000.00) dollars:

Section 1. Construction Contracts. Awards of construction contracts shall be made only after the work to be awarded has been advertised for at least two weeks. Advertisements shall consist in publishing in three or more daily newspapers of the state a description of the work under appropriate heading, and such publication shall preferably appear in two successive Sunday issues of the newspapers selected. When in the judgment of the department the importance of any particular project warrants, advertisements may also be inserted in not more than two widely circulated journals published outside the state. In addition to the newspaper advertisement, the description notice shall be distributed by mail among the qualified contractors of record and other parties known to be interested. Awards of construction contracts shall be approved in advance by the state highway commission before such contracts are formally awarded by the department. Award, if made, shall be made in each case to the lowest qualified bidder whose bid shall have been formally submitted as required by the department. The foregoing shall be subject to the following provisions:

Paragraph (a). Construction contracts involving the expenditure by the department of more than \$1,000.00 but less than \$10,000.00 may be awarded after advertising for not less than one week, including at least one insertion in one daily newspaper of the state and the mailing of notices to qualified contractors of record.

Paragraph (b). In case of emergency and subject to confirmation by the state highway commission, the department may employ contractors to perform construction or repair work without formalities. All cases of this kind shall be reported in detail and made public at the next succeeding meeting of the commission.

Paragraph (c). Unless approved in advance by the state highway commission, no construction contract shall be extended to include work not contemplated in the original award except within the limitations imposed by the said contract.

Paragraph (d). The foregoing rules shall not serve to prevent the acceptance of co-operation by persons, firms and corporations that may be jointly interested with the department in any particular item of work. For example, the department may share with railroad companies the cost of grade separation structures built by such companies under appropriate and lawful agreements.

Section 2. Purchases and purchase contracts. All materials, supplies or equipment purchased directly by the state highway department shall conform to requirements previously fixed by the department with a view, first, to serving satisfactorily the purpose and contemplation and, second,

to securing the widest practicable measure of competition consistent with that purpose. The procedure in making purchases or purchase contracts shall be adapted to the circumstances in each case, but in general one of the following plans shall govern:

Paragraph (a). Awards of purchase contracts shall be made after advertising for at least two weeks and receiving bids. This plan shall be followed wherever the materials, supplies or items of equipment proposed to be purchased are of standard quality and can be described so that all bidders will base their proposals on furnishing articles of identical quality. Advertisements shall consist in publishing in three or more daily newspapers of the state a statement covering the articles to be purchased under appropriate heading and such publication shall preferably appear in Sunday issues of the newspapers selected. In addition to the newspaper advertisement the description notice shall be distributed by mail among all parties known to be interested. Award, if made, shall be made in each case to the lowest responsible bidder whose bid shall have been formally made as required by the department; provided that in case the bids received indicate the existence of a combine, an understanding or agreement among the bidders for the purpose of fixing the price of the commodity proposed to be purchased, then the department may, after rejecting all bids, proceed to negotiate purchase contracts with individual firms so as to gain any available advantage for the department either in price or purchase conditions, and to that end may consummate purchase contracts with domestic or foreign persons, firms or corporations.

Paragraph (b). Wherever the materials, supplies or items of equipment proposed to be purchased are not susceptible of standardization, then the department, with the approval of the state highway commission, may establish an eligible list of bidders and/or articles. Under this plan bidding shall be restricted to the eligible list of bidders and/or articles. Advertising and award shall be as required in paragraph (a) of this section, provided that differentials established in advance by the department and approved by the state highway commission may be recognized in determining the low bid.

Paragraph (c). In purchasing materials, supplies or items of equipment that are controlled by virtue of patent rights so that competition is impracticable, or where the articles proposed to be purchased are produced and offered for sale by fewer than three reputable firms eligible to offer their products in direct competition and where it is impracticable to substitute other materials, supplies or items of equipment for those proposed to be purchased, purchase negotiations may be undertaken by the department informally and purchase awards be made with the approval of the state highway commission as a result of such negotiations, provided that each such award shall be accompanied by a certificate describing in detail the procedure followed, and provided further, that any purchase contract made under this plan shall be awarded only after advertising the intention to award in at least one issue of one daily newspaper published in the state.

Paragraph (d). Materials, supplies and items of equipment necessarily purchased in order to replace parts of existing equipment and structures owned by the state highway department, which can be supplied only by the manufacturer of the original articles to be repaired, or by his authorized dealer or agent, may be purchased without formality, provided that the department shall take advantage of every opportunity to economize by securing the best purchase agreements practicable. Advertising in this case shall consist in reporting to the commission monthly a complete record of all such transactions.

Section 3. **Dealings with other governmental agencies.** These rules and regulations are not intended to affect the dealings of the state highway department with the federal government or any subdivision thereof, nor the South Carolina state government, or any subdivision thereof, nor any county or municipality in the state. (Filed, secretary state's office—April 20, 1937.)

§§ 5982-6010, 1932 CODE—driver's license—highway patrol law

No. 1. Paragraph One: The motor vehicle division, through its duly authorized officers and agents, is hereby authorized and directed to suspend the driver's license of any person for a period of sixty (60) days upon receiving satisfactory evidence or information of the conviction or of the entry of a plea of guilty and sentence thereupon or of the forfeiture of bail of any such person upon one charge of driving or operating a motor vehicle while under the influence of intoxicating liquor, drugs or narcotics.

Paragraph Two: The motor vehicle division, through its duly authorized officers and agents, is hereby authorized and directed to suspend the driver's license of any person for a period of one hundred and twenty (120) days upon receiving satisfactory evidence or information of the conviction or of the entry of a plea of guilty and sentence thereupon or of the forfeiture of bail of any such person upon a second charge of driving or operating a motor vehicle while under the influence of intoxicating liquor, drugs or narcotics.

Paragraph Three: The terms "intoxicating liquor, drugs or narcotics" shall have such meaning ascribed to them, or any of them, as is otherwise defined by the laws of this state and in case the meaning of these terms, or any of them, is not so defined, then and in that event, said terms, or any of them, shall have such meaning as may be defined by the state highway department.

Paragraph Four: Any person whose license has been suspended for violation of these rules and regulations shall forthwith surrender his or her driver's license upon demand made by the motor vehicle division or any of its authorized officers and agents and in case such demand is not made in person, then and in that event, such person shall be notified in

writing by the said motor vehicle division, which notice shall be sent by registered mail to the last address furnished in writing to the highway department by such person and any such person who has been so notified in writing by said department shall, within five days, return his or her driver's license to said department. No person whose driver's license is suspended for violation of these rules and regulations shall, during the period of suspension, drive or operate a motor vehicle along or on any public highway, road or street in this state.

Paragraph Five: Any person who violates these rules and regulations and who further refuses or fails to surrender or return his or her driver's license in accordance with the provisions of these rules and regulations shall be deemed guilty of a misdemeanor, punishable by a fine of not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars or imprisonment for not more than thirty (30) days as specifically provided for in § 6009, Chapter 128, Volume 3, Code of Laws, South Carolina, 1932.

Paragraph Six: Rules and Regulations No. 2, promulgated on June 12, 1931, be and the same are hereby revoked.

Paragraph Seven: These rules and regulations shall become effective on and after the first day of July, 1932.

The foregoing rules and regulations are promulgated for the purpose of administering and enforcing the provisions of Chapter 128, Volume 3, Code of Laws, South Carolina, 1932. (Filed, secretary state's office—April 20, 1937.)

§§ 5990 and 6008, 1932 CODE—driver's license—highway patrol law

† **No. 1. Paragraph One:** The motor vehicle division, through its duly authorized officers and agents, is hereby authorized and directed to suspend the driver's license of any person for a period of sixty (60) days upon receiving satisfactory evidence of the conviction or of the entry of a plea of guilty and sentence thereupon or of the forfeiture of bail of any such person upon one charge of driving or operating a motor vehicle in a reckless manner and under the influence of intoxicating liquor, drugs or narcotics.

† **Paragraph Two:** The motor vehicle division, through its duly authorized officers and agents, is hereby authorized and directed to suspend the driver's license of any person for a period of one hundred and twenty (120) days upon receiving satisfactory evidence of the conviction or of the entry of a plea of guilty and sentence thereupon or of the forfeiture of bail of any such person upon two charges of driving or operating a motor vehicle in a reckless manner and under the influence of intoxicating liquor, drugs or narcotics.

† **Paragraph Three:** The terms "intoxicating liquor, drugs or narcotics" shall have such meaning ascribed to them, or any of them, as is other-

† **NOTE:** This rule (No. 1 hereunder designated as No. 2 in secretary of State's office) was revoked by rule No. 1, Paragraph 6 of §§ 5982-6010, 1932 Code, this volume. See pages 1467 and 1468, this volume.

wise defined by the laws of this state and in case the meaning of these terms, or any of them, is not so defined, then and in that event, said terms, or any of them, shall have such meaning as may be defined by the state highway department.

Paragraph Four: Any person whose license has been suspended for violation of these rules and regulations shall forthwith surrender his or her driver's license upon demand made by the motor vehicle division or any of its authorized officers and agents and in case such demand is not made in person, then and in that event, such person shall be notified in writing by the said motor vehicle division, which notice shall be sent by registered mail to the last address furnished the highway department by such person and any such person who has been so notified in writing by said department shall, within five days, return his or her driver's license to said department. No person whose driver's license is suspended for violation of these rules and regulations shall, during the period of suspension, drive or operate a motor vehicle along or on any public highway, road or street in this state.

Paragraph Five: Any person who violates these rules and regulations and who further refuses to surrender or return his or her driver's license in accordance with the provisions of these rules and regulations shall be deemed guilty of a misdemeanor, punishable by a fine of not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars or imprisonment for not more than thirty (30) days as specifically provided for in Section 29 of the act herein referred to.

Paragraph Six: These rules and regulations shall become effective on and after the first day of July, 1931.

The foregoing rules and regulations are promulgated for the purpose of administering and enforcing the provisions of the law herein referred to. (Filed, secretary state's office—April 20, 1937.)

§ 6006, 1932 CODE—driver's license—highway patrol law.

Parking or leaving vehicles on or along state highways

No. 1. Parking Vehicles on State Highways. The following rules and regulations are hereby promulgated to control the parking or stopping or leaving of vehicles on or along state highways:

Paragraph One: No motor vehicle or other vehicle shall be parked or stopped or left on or along a state highway in any position or location so as to obstruct the driving view of any driver of any motor vehicle or other vehicle approaching from any direction on the highway, or on any part of a bridge, or in any no parking area where "No Parking" signs have been erected by proper authority, or on or along any state highway (outside of a business or residential district) within a distance of fifty (50) feet of any vehicle already parked or standing on the opposite of such high-

* NOTE: See footnote on pages 1467 and 1468, this volume.

way. In no case shall any vehicle be parked or stopped or left on or along any state highway, except when the drivers of approaching vehicles from either direction may obtain a clear view of such standing vehicle for a distance of at least three hundred (300) feet.

Paragraph Two: No motor vehicle or other vehicle shall be parked or stopped or left on or along a state highway (outside of a business or residential district) upon the paved or improved or main travelled portion of such highway when it is practicable to park or stop such vehicle off the paved or improved or main travelled portion of such highway. Every vehicle parked or stopped or left on or along any state highway shall be as near as practicable to the outside edge of the shoulder of such highway, and a clear and unobstructed width of not less than sixteen (16) feet upon the main travelled portion of such highway opposite such standing vehicle shall be left for free passage of other vehicles thereon.

Paragraph Three: When two or more motor vehicles or other vehicles are parked or stopped or left on opposite sides of a state highway within a business or residential district where a speed limit of twenty (20) miles or less per hour has been established, there shall be a distance of not less than twenty (20) feet at all points between such vehicles parked on opposite sides of such highway.

Paragraph Four: During the period between sunset and sunrise any motor vehicle parked or stopped or left on or along any state highway shall display two (2) dimmed white lights on the front and a red light on the rear, and any other vehicle (except a motor vehicle) when so parked or stopped or left shall display a white light visible within a reasonable distance from any direction on said highway: **Provided,** That the provisions of these rules and regulations relating to lights shall not apply to any vehicle when no part of such vehicle is within twenty (20) feet of the center of said roadway, or when parked or stopped within a business or residential district having street lights.

Paragraph Five: These rules and regulations (except the requirements as to lights) shall not apply in the case of any motor vehicle or other vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position on a state highway.

Paragraph Six: In addition to observing the specific limitations herein provided, all operators and drivers of motor vehicles and other vehicles are hereby required to exercise reasonable caution so as to avoid parking, stopping or leaving their vehicles at any place or in any position on or along state highways that may result in undue hazard or inconvenience to other users of the highways and all such operators or drivers are further required to cooperate with police authorities in every reasonable way to promote the safety and convenience of the travelling public.

Paragraph Seven: These regulations shall not serve to repeal any regulations of any municipality through which state highways may pass,

but are to be considered and construed as cumulative to any such regulations.

Paragraph Eight: Any person who violates these rules and regulations shall be deemed guilty of a misdemeanor, punishable by a fine or not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars or imprisonment for not more than thirty (30) days, as specifically provided for in Section 6009, Chapter 128, Volume 3, Code of Laws of South Carolina, 1932.

Paragraph Nine: These rules and regulations shall become effective on and after the first day of May 1932. (Filed, secretary state's office—April 20, 1937.)

§ 6008, 1932 CODE—driver's license—highway patrol law

No. 1. (1) Any person who uses a driver's license issued to or in the name of another person violates the provisions of the Act hereinabove referred to and upon conviction is subject to the penalty provided in Section 29 of said Act.

(2) Any person who lends, gives, sells, transfers or otherwise grants his or her driver's license to another person violates the provisions of the Act hereinabove referred to and upon conviction is subject to the penalty provided in Section 29 of said Act.

The foregoing rule or regulation is promulgated for the purpose of administering and enforcing the Act herein referred to. (Filed, secretary state's office—April 20, 1937.)

§ 8214, 1932 CODE—annual schedule and report to be filed with public service commissioners

See §§ 8279, 8280, 8281 and 8214, 1932 Code, this volume, page 1501.

§ 8248, 1932 CODE—powers as to public utilities

No. 1. Approval of Rates of Public Utilities.—(a) All rates, tolls, charges and fares proposed to be put into effect by any public utility under the regulation of this Commission, shall be first approved by this Commission before they shall become effective, unless they are exempt from such approval by statute or other provision of law.

(b) No rate, toll, charge, fare nor service of any public utility under the regulation of this Commission shall be deemed approved nor consented to by the mere filing of a schedule or other evidence thereof in the offices of the Commission; but such approval and consent to be good must be actually and affirmatively made. (Filed, secretary state's office—June 30, 1937.)

§ 8251, 1932 CODE—public service commissioners have general supervision

See §§ 8251 and 8304, 1932 Code, this volume, page 1473.

*** No. 1. Public Sessions, When Held.**—The regular sessions of the Commission for the hearing of contested cases will be held at its office in Columbia, S. C., Wednesday of each week at 10 o'clock a. m., unless otherwise ordered by the Commission. When special sessions are held at other places such regulations as may be necessary will be made by the Commission. (Filed, secretary state's office—June 30, 1937.)

No. 2. Suspension of Rules.—The Commission reserves the right to suspend or modify, at its discretion, the enforcement of any of its rules, rates, orders or other regulations, where, in its opinion, the conditions are such in any particular instance, that a strict enforcement of such rules or other regulations would result in hardships or injustice. (Filed, secretary state's office—June 30, 1937.)

No. 3. Closing or Discontinuing Depots, Stations and Agencies.—(a) Each and every depot, flag stop, station, office and agency, now maintained, conducted or used in South Carolina by any railroad, express or telegraph company doing business in this State, for the transaction of business with the public is hereby formally established and located at the point and on the premises where the same is now being so maintained and conducted. No such depot, flag stop, station, office or agency, as aforesaid, now established, or that hereafter may be established, pursuant to orders made by the Commission, or voluntarily by such company, or otherwise, shall be closed, removed, suspended, discontinued or abolished without authority granted by the Public Service Commission. Said notice to the public shall be posted in a conspicuous place at or near such depot, flag stop, station, office or agency, for not less than thirty (30) days, and a copy of such notice sent to the Public Service Commission. At the expiration of that time, unless protest has been received from the public by the Public Service Commission and the company so notified, then formal application may be made to the Public Service Commission for authority to close, remove, suspend, discontinue or abolish such depot, flag stop, station, office or agency, as the case may be. Should protest be received, the Public Service Commission will notify the company involved, who may, if desired, ask for a formal hearing in the matter, and the Commission will order such hearing if, in its judgment, same is necessary.

(b) At hearings relative to application for closing of railroad express and telegraph agencies or offices the agent in charge of such agency or office is required to appear before the Commission at the hearing with such books and records pertaining to the revenues and disbursements of the agency or office in question for such period of time as the Commission may designate.

(c) From and after January 1, 1936, no railroad or express company will be allowed to discontinue any agency station and no commercial telegraph company will be allowed to discontinue any telegraph office with-

* Not applicable to proceedings involving common carriers by rail. See Commission's "Rules of Practice".

out a public hearing having been had after all parties concerned have been given due notice. (Filed, secretary state's office—June 30, 1937.)

No. 4. Keeping Open Depots.—All freight depots must be kept open each day, except Sundays and legal holidays, during following hours: 8:00 o'clock a. m. to 5:00 o'clock p. m., for delivering freight, and 8:00 o'clock a. m. to 4:00 o'clock p. m. for receipt of less than carload freight for forwarding. The closing hour on Saturdays may be 2:00 o'clock p. m. for delivering and 1:00 o'clock p. m. for receiving. (Filed, secretary state's office—June 30, 1937.)

No. 5. General Rule.—All Rules and Regulations herein prescribed as applying to railroads are to be regarded as applying, with equal force and effect, to express companies doing business in this State: **Provided**, Such application is practicable and does not conflict with the laws of this State or of the United States, nor with the Rules and Regulations herein distinctly prescribed for the government of express companies: (Filed, secretary state's office—June 30, 1937.)

§ 8251, 1932 CODE—public service commissioners have general supervision

§ 8304, 1932 CODE—public service commissioners make freight and passenger tariffs—regulations

No. 1. Public sessions and hearing.—Public sessions of the Commission for the hearing of evidence or oral arguments, or for public conferences and hearings, will be held as set upon notice by the Commission, subject to change upon such notice as may be practicable. (Filed, secretary state's office—June 30, 1937.)

No. 2. Parties—classes—who may appear—ethical standards.—The parties to proceedings before the Commission are complainants, defendants, interveners, respondents and applicants, according to the nature of the proceedings and their relation thereto. Any party may appear and be heard in person or by agent or attorney. All persons appearing in such proceedings must conform to the standards of ethical conduct required of practitioners before the courts of the State. Failure to conform to those standards will be ground for declining to permit appearance as attorney in any proceeding before the Commission. (Filed, secretary state's office—June 30, 1937.)

No. 3. Complainants and defendants, joinder.—In complaint cases the parties who complain to the Commission of anything done or omitted to be done in alleged violation of the law or rules of the Commission are styled complainants. The common carriers so complained of, and their receivers or operating trustees, if any, are styled defendants. Two or more complainants may join in one complaint if their respective causes of action are against the same defendant or defendants, and involve substantially the same alleged violation of the law or rules, and a like state of facts. (Filed, secretary state's office—June 30, 1937.)

No. 4. Necessary defendants, through transportation.—If complaint is made in respect of through transportation by continuous carriage or shipment, all carriers subject to the jurisdiction of the Commission participating therein should be made defendants. (Filed, secretary state's office—June 30, 1937.)

No. 5. Joint defendants when several carriers involved.—If complaint is made of classification, rates, fares, charges, regulations or practices of more than one carrier, all carriers against which an order is sought should be made defendants. (Filed, secretary state's office—June 30, 1937.)

No. 6. Respondents.—In proceedings or investigations made by the Commission on its own motion in "show cause" orders, etc., carriers against whom such order is directed are styled respondents. (Filed, secretary state's office—June 30, 1937.)

No. 7. Carriers as applicants.—In applications for relief from any rule or ruling of the Commission or in disputes between carriers as to divisional arrangements, the carriers by whom, or on whose behalf the application is made are styled applicants. (Filed, secretary state's office—June 30, 1937.)

No. 8. Interveners. Petitioners. Intervener becomes party.—Petitioners permitted to intervene as hereinafter provided for are styled interveners. Any one entitled to complain to the Commission, may petition for leave to intervene in any pending proceeding, prior to, or at the time it is called for hearing, but not after except for good cause shown. The petition must set forth the grounds of the proposed intervention, the position and interest of the petitioner in the proceeding, and if affirmative relief is sought, should conform to the requirements for a formal complaint. When the petition is filed prior, or subsequent to the hearing the petitioner must furnish therewith a sufficient number of copies for service upon all parties to the proceeding, and eight additional copies for use of the Commission. Leave to intervene will not be granted except on allegations reasonably pertinent to the issues already presented, and which do not unduly broaden them. When petitions of intervention are not filed prior to, but tendered at the hearing sufficient copies must be provided for distribution as motion papers to the parties represented at the hearing. If leave be granted at the hearing eight additional copies must be furnished for the use of the Commission. Appearances may be entered in general investigations instituted by the Commission without applying for, or receiving leave to intervene. Those entering appearances thereby become parties to such proceedings. (Filed, secretary state's office—June 30, 1937.)

No. 9. Complaints—complaints either formal or informal.—Complaint may be either formal or informal. (Filed, secretary state's office—June 30, 1937.)

No. 10. Informal complaints.—Informal complaints may be made by letter or other writing and as received are filed. Matters thus presented are, if their nature warrants it, taken up by correspondence with the carriers affected in an endeavor to bring about satisfaction of the complaint without formal hearing, and are given serial numbers on the informal docket.

This informal procedure has been found efficacious in the great majority of cases and is recommended. (Filed, secretary state's office—June 30, 1937.)

No. 11. Substance of informal complaints.—No form of informal complaint is prescribed, but in substance the letter or other writing should contain the essential elements of a complaint including name and address of complainants the names of the carrier or carriers against which complaint is made, a statement that the statutes or rules of the Commission have been violated by the carrier or carriers named, indicating when, where and how, and a request for affirmative relief. It is desirable that the informal complaint be accompanied by copies in sufficient number to enable the Commission to transmit one to each carrier named, and it may be accompanied by supporting papers. Proceedings thus instituted on the informal docket are without prejudice to complainants right to file and prosecute a formal complaint, whereupon the proceedings on the informal docket will be discontinued. (Filed secretary state's office—June 30, 1937.)

No. 12. Formal complaints, number of copies. Service.—Formal complaints must conform to the requirements of Rule 33. The names of all parties complainant and defendant must be stated in full without abbreviation, and the address of each complainant, with the name and address of his attorney, if any, must appear. Each formal complaint must be accompanied by copies in sufficient number to enable the Commission to serve one upon each defendant and retain eight for its own use. The Commission will serve the complaint upon each defendant with notice to defendants setting forth the date on which answer must be made to the complaint, such notice will also set the date for formal hearing of the complaint which will be not less than thirty-five (35) days after the date on which complaint is mailed by the Commission provided the answer of the defendants does not satisfy the formal complaint. (Filed, secretary state's office—June 30, 1937.)

No. 13. Statement of issues.—Complaints should be so drawn as fully and completely to advise the parties defendant and the Commission wherein the law or rules of the Commission have been alleged to be violated by the acts or omissions complained of, or will be violated by a continuance of such acts or omissions, and should set forth briefly and in plain language the facts claimed to constitute such violation and the relief sought. Two or more grounds of complaint involving the same principal subject, or state of facts may be included in one complaint, should be separately stated and numbered. The several rates, fares, charges, practices, classification and regulations complained of should be set out by specific reference to the tariffs in which they appear whenever that is practicable. For example, if it is proposed to seek any particular rate(s), basis or rates, rule, etc., when complaint is heard, it should be drawn so as to acquaint defendants with the exact rate(s), basis or rates, rule, etc., to be sought at the hearing. (Filed, secretary state's office—June 30, 1937.)

No. 14. Supplemental complaints.—Supplemental complaints may be tendered for filing by the parties complainant against the parties defendant in the original complaint, setting forth any causes of action alleged to have

accrued in favor of the complainants and against the defendants since the filing of the original complaint, and upon leave granted will be filed and served by the Commission as provided for original complaints, heard, considered and disposed of therewith in the same proceeding, if practicable. (Filed, secretary state's office—June 30, 1937.)

No. 15. Answers—form and style. Time of filing.—Answers must conform to the requirements of Rule No. 33. Answers to formal complaints must be filed with the Commission within twenty (20) days after the day on which the complaint was served. This period may be extended by the Commission when it deems advisable. The answer must, in the same period be served as provided in Rule No. 19. Any defendant failing to file and serve answer within said period will be deemed in default, and issue as to such defendant will thereby be joined. (Filed, secretary state's office—June 30, 1937.)

No. 16. Answers to petitions in interventions, or amended complaints.—Answers to petitions in intervention or amended complaints filed and served upon leave granted need not be separately made unless the defendants so elect, and their answers to the formal complaint will be deemed answers to the petition in intervention. (Filed, secretary state's office—June 30, 1937.)

No. 17. Answers to be full and complete.—All answers should be so drawn as fully and completely to advise the parties and the Commission of the nature of the defense, and should admit or deny specifically and in detail each material allegation of the pleading answered. (Filed, secretary state's office—June 30, 1937.)

No. 18. Statements as to satisfaction of complaints.—If a defendant satisfies a formal complaint, either before or after answering, a statement to that effect signed by the opposing parties must be filed, setting forth when and how the complaint has been satisfied. (Filed, secretary state's office—June 30, 1937.)

No. 19. Service—service of complaints. Number of copies.—Formal complaints, and upon leave granted, petitions in intervention, supplemental complaints, and amended complaints will be served by the Commission and copies of each must be furnished in sufficient number as provided in Rule 12 in respect of complaints. (Filed, secretary state's office—June 30, 1937.)

No. 20. Service upon attorneys.—When any party has appeared by attorney or agent, service upon such attorney or agent will be deemed service upon the party. (Filed, secretary state's office—June 30, 1937.)

No. 21. Amendments.—Amendments to any pleading will be allowed or refused by the Commission in its discretion. (Filed, secretary state's office—June 30, 1937.)

No. 22. Continuance and extensions of time.—For cause shown, continuance and extension of time will be granted or denied by the Commission in its discretion. (Filed, secretary state's office—June 30, 1937.)

No. 23. Stipulations.—The parties may, by stipulation in writing filed with the Commission, or presented at the hearing, agree upon any facts involved in the proceedings. It is desired that the facts be thus agreed upon insofar as, and whenever practicable. (Filed, secretary state's office—June 30, 1937.)

No. 24. Hearings—assignments for hearing. Examination of witnesses.—When issue is joined upon formal complaint by service of answer, or by failure of defendant to answer formal hearing will be had upon the date set in the original notice to defendants as provided in Rule 12. Witnesses will be examined orally before the Commission unless their testimony is taken by deposition or the facts are presented to the Commission in the manner provided for in Rule 23. (Filed, secretary state's office—June 30, 1937.)

No. 25. Order of procedure. Various proceedings.—At hearings on formal complaint the complainant shall open and close. At hearings upon applications when carriers are applicants (Rule 7), applicant shall open and close. The order of presentation above prescribed for the several kinds of hearings, respectively, shall be followed, except as the Commission may prescribe a different order or the Commission may otherwise direct. Interveners shall follow the party in whose behalf the intervention is made, and in all cases where the intervention is not in support of either original party the Commission shall designate at what stage such interveners shall be heard. (Filed, secretary state's office—June 30, 1937.)

No. 26. Depositions.—The testimony of any witness may be taken by deposition, at the instance of a party, in any proceeding or investigation before the Commission after the same is at issue by the filing of the answer. Such depositions must be after notice given in writing by the party or his attorney of record. No deposition shall be taken except after six days' notice to the parties, and must conform to the statutory provisions of South Carolina and be taken before the proper officer as provided by statute. (Filed, secretary state's office—June 30, 1937.)

No. 27. Witnesses.—The Commission in making any examination for the purpose of obtaining information in proceedings coming up for hearing shall have power to issue subpoena for the attendance of witnesses by such rules as may be prescribed in accordance with Section 4831 of the Code of 1922. (Filed, secretary state's office—June 30, 1937.)

No. 28. Documentary evidence—(a) relevant matter in same document with irrelevant.—Where relevant and material matter offered in evidence by any party is embraced in book, paper or document containing other matter not material or relevant, the party must plainly designate the matter so offered. If the other matter is in such volume as would necessarily cumber the record, such book, paper or document will not be received in evidence, but may be marked for identification and if properly authenticated, the relevant and material matter may be read into the record, or if the Commission so directs a true copy of such matter in proper form, shall be received as an exhibit, and like copies delivered by the party offering the same to opposing parties or their attorneys appearing at the hearing, who shall be afforded an opportunity to examine the book, paper

or document, and to offer in evidence in like manner other portions thereof if found to be relevant. (Filed, secretary state's office—June 30, 1937.)

(b) Commissions files, except tariffs—records in other proceedings.—In case any matter contained in a report or other document, not a tariff schedule, on file with the Commission is offered in evidence such report or other document need not be produced or marked for identification, but in other respects the provisions of the foregoing subdivisions (a) of this rule will apply. In case any portion of the record before the Commission in any proceeding other than the one on hearing is offered in evidence a true copy of such portion shall be presented for the record in the form of an exhibit, unless:

(1) The portion is specified with particularity in such manner as to be readily identified, and

(2) The parties represented at the hearing stipulate upon the record that such portion may be incorporated by reference, and that any other portion offered by any other party may be incorporated by like reference, subject to (1) and (2), and

(3) The Commission directs such incorporation. Any portion so offered, whether in the form of an exhibit or by reference, shall be subject to appropriate objection.

(c) Copies of exhibits to opponent.—When exhibits of a documentary character are to be offered in evidence copies must be furnished to opposing counsel, unless the Commission otherwise directs.

(d) Filing subsequent to hearing.—Where agreed upon by the parties at or after the hearing, the Commission, if it deems advisable, may receive specific documentary evidence as part of the record within a time to be fixed, but which shall expire not less than ten (10) days before the date fixed for filing and serving briefs.

(e) Documents not received after hearing.—Except as above provided or as may be expressly permitted in particular instances, the Commission will not receive in evidence or consider as part of the record any documents, letters, or other writings submitted for consideration with the proceedings after the close of the testimony and will return same to the sender.

(f) Copies for commission.—Unless otherwise directed eight copies of each exhibit of a documentary character must be furnished for the use of the Commission. (Filed, secretary state's office—June 30, 1937.)

No. 29. Briefs and oral argument.—(a) Briefs must comply with the requirements of Rule 33. The date of each brief must appear on its front cover or title page. Each brief should contain an abstract of the evidence relied upon by the party filing it, preferably assembled by subjects, with reference to the pages of the record or exhibit where the evidence appears. It should include requests for such specific findings as the party thinks the Commission should make.

(b) Filing and service. Copies for commission: Application for extension.—Briefs not filed with the Commission and served on or before the dates fixed therefor will not be received except by special permission of

the Commission. All briefs must be accompanied by notice showing service upon all other parties or their attorneys who appeared at the hearing or on brief, and eight (8) copies of each brief shall be furnished for the use of the Commission. Application for extension for time in which to file briefs shall be by petition in writing stating the facts on which such application rests, which must be filed with the Commission at least four days before the time fixed for filing such briefs.

(c) Procedure in proposed report cases.—For application in “proposed report” cases which are all cases on the formal docket except those specified in Rule 30, paragraph (d) the following procedure will govern:

1. If oral argument before the Commission is desired the party desiring such argument shall notify the Commission at, or before the hearing, so they may arrange to hear the argument at the close of the testimony. Such argument will be transcribed and bound with the transcript of testimony, and will be available for consideration in deciding the case.

2. Only one initial brief shall be filed by each party. The Commission shall fix for all parties the same time within which to file their briefs. Reply briefs are not permitted at this stage.

3. After expiration of the time set for briefs a proposed report containing a statement of the issue and facts and the findings and conclusions therein will be served by mailing copies to the parties or attorneys who appeared at the hearing or upon brief, except that in general investigation copies may also be mailed in the Commission’s discretion to other parties whose appearances are noted of record.

4. Within twenty days after service of the proposed report any party may file and serve in the manner prescribed for briefs, exceptions to the proposed report and brief in support of the exception. Exceptions and briefs should be contained in one brief or document. Within ten days after expiration of the time so fixed briefs in reply to the exception briefs may be filed and served, but will not be received later except under leave granted upon application therefor. Application for oral argument before the Commission may be made by any party filing exceptions, or reply to exceptions, and must accompany the exceptions or reply.

5. Exceptions to the proposed report either as to statements of facts or matters of law must be specified. If exception is taken to matters of law or conclusions, the points relied upon must be stated separately and clearly. If exception is taken to any statement of fact reference must be made to the pages or parts of the record relied upon, and a corrected statement incorporated in the exception brief.

6. In the absence of exceptions that are sustained, or of ascertained error the statement of the issue and of the facts in the proposed report will ordinarily be taken by the Commission as the basis of its final decision. (Filed, secretary state’s office—June 30, 1937.)

No. 30. Procedure in “ordinary” or “no proposed report” cases.—(d) In cases of this nature which are on the formal docket such as petitions for revision of rates from carriers, or petitions requesting formal authority of the Commission for adoption of proposed rules or regulations, new rates, sched-

ules, involving increases or reductions, ordinary complaints from shippers which from their nature may be disposed of after proper hearing before the Commission without the service of a proposed report or the filing of briefs by either party to such hearing, the hearing will be had in the usual manner set forth for hearing formal complaints, and at the close of the taking of testimony the Commission will proceed to dispose of the case by a formal order served on each party or parties and all others interested or affected by such order.

(e) Procedure when change in southern classification is desired to be made by carriers.—Before change in the Southern Classification may be made applicable to South Carolina intrastate traffic, there shall be filed with the South Carolina Public Service Commission, application of the Southern Classification Committee accompanied by fifteen copies of printed supplement or other forms, setting forth such proposed changes and requesting the approval of same:

Further, that the Commission shall cause copies of issues setting forth the proposed changes to be furnished independent traffic managers, Chambers of Commerce, and others who may be interested in such proposed changes, and unless objections are filed within twenty (20) days after such notice, the Commission will proceed to formally approve same. In case objections are expressed, no such changes will be made pending formal hearing and approval by the Commission. (Filed, secretary state's office—June 30, 1937.)

No. 31. Application for rehearing, rearguments, or modification of orders.—(a) Application for further hearing in proceedings before final submission, for reopening a proceeding after final submission, or for rehearing or reargument after decision, must be made by petition within twenty (20) days, stating specifically the grounds relied upon, eight copies to be filed with the Commission and one copy served by the petitioner upon all parties or attorneys who appeared at the hearing or oral argument, if had, or on brief.

(b) Further hearing.—If the application be for further hearing before final submission, or for reopening the proceeding to take further evidence, the nature and purpose of the evidence to be adduced must be briefly stated and it must not appear to be merely cumulative.

(c) Rehearing or reargument.—If the application be for rehearing or reargument, the matter claimed to have been erroneously decided must be specified and the alleged errors briefly stated. If thereby any order of the Commission is sought to be vacated, reversed or modified by reason of matters which have arisen since the hearing or of consequence which would result from compliance therewith the matters relied upon by the petitioner must be fully set forth in the petition.

(d) Modification of order.—Applications for modification of orders which seek only a change in a date when they shall take effect or in the period of notice thereby prescribed must be made by petition seasonably filed and served in like manner as other applications under this rule except that in cases of emergency such relief may be sought informally by

telegram or otherwise upon notice thereof to all parties or attorneys who appeared as aforesaid. (Filed, secretary state's office—June 30, 1937.)

No. 32. Transcript of testimony.—Transcript of testimony will be furnished to those requesting it at the close of the hearing, by the official reporter of the Commission at such price as may be designated by the Commission, and it is requested that complainants and defendants notify the official reporter in writing, if they desire a copy and designate to whom it shall be sent when transcribed. (Filed, secretary state's office—June 30, 1937.)

No. 33. Specifications as to complaints, answers, petitions, applications, briefs, etc.—(a) In all cases, exhibits or documentary evidence to be filed must be typewritten or printed. If typewritten they should be on paper not more than 8½ inches wide or 12 inches long, the impression must be on only one side of the paper, and must be double spaced except that long quotations should be single spaced and indented. Mimeographed, multi-graphed, or planographed copies will be accepted as typewritten.

(b) **Briefs.**—Briefs may be either printed or typewritten.

(c) **Signature.**—Complaints, answers, motions, petitions, applications and notices must be signed in ink by the party, petitioner or applicant, or by his or its duly authorized attorney, and must show the office and post office address of the signer. (Filed, secretary state's office—June 30, 1937.)

No. 34. Computation of time. Sundays and holidays.—When the time prescribed in these rules for doing any act expires on Sunday or legal holiday, such time shall extend to, and include the next succeeding day that is not a Sunday or legal holiday. (Filed, secretary state's office—June 30, 1937.)

No. 35. Office and address of the commission.—The offices of the Commission are on the first floor of the State Office Bldg., Columbia, S. C., and will be open for the transaction of business on week days from 9 A. M., until 5 P. M. except on Saturday the office will close at 1 P. M. All the offices will be closed on Sundays and legal holidays.

Note: These rules of practice and procedure automatically cancel Commissions general Rules 1, 2, 3 and 4 insofar as such rules involve proceedings in connection with common carriers by rail. (Filed, secretary state's office—June 30, 1937.)

No. 36. Handling freight at non-agency stations.—At all non-agency stations the railroads shall load and unload all less than carload shipments. The consignor or consignee shall load or unload all carload shipments. When a shipper at a non-agency station desires to make a carload shipment, the order for empty car shall be placed with the conductor or the agent of the railroad at the nearest station, and said car shall be set off on the siding designated, loaded by the shipper and bill of lading issued by the nearest agent of the railroad in the direction the car moves. When a carload shipment is consigned to a non-agency station, the freight charges on which are prepaid, the car shall be set off at that point and unloaded by the consignee. Railroads shall not leave less than carload freight at

non-agency station when there is no one there to receive it if the weather is such as to cause damage, but the same shall be carried to the nearest station for protection and return at the proper time. (Filed, secretary state's office—June 30, 1937.)

§ 8252, 1932 CODE—definition of terms

§ 8253, 1932 CODE—powers of public service commission

**ARTICLE I—STANDARDS FOR GAS SERVICE, PROVIDING FOR
THE TESTING OF GAS METERS, AND OTHERWISE REGU-
LATING THE SERVICE OF GAS UTILITIES.**

STATUTORY PROVISIONS

Rule 1. Authorization of Rules. (a) Section 923 of Article 16, of Chapter XIX, Volume I of Code of Laws of South Carolina, 1912, as amended March 24, 1922, provides: "That the Railroad Commission is hereby, to the extent granted, vested with power and jurisdiction to supervise and regulate the rates and service of every 'Public Utility' in this State as defined in this Act, together with the power, after hearing, to ascertain and fix such just and reasonable standards, classifications, regulations, practices and measurements of service to be furnished, imposed, observed and followed by every 'Public Utility' in this State as defined in this Act, and the State hereby asserts its rights to regulate the rates and services of every 'Public Utility' as herein defined."

In accordance with the above provisions the Railroad Commission has adopted the following rules and fixed the following standards for manufactured gas service, to become effective the first day of October, 1922. All previous rules or standards conflicting with those contained herein are hereby superseded.

(b) The adoption of these rules shall in no way preclude the Railroad Commission from altering or amending them in whole or in part, or from requiring any other or additional service, equipment, facility, or standard, either upon complaint or upon its own motion, or upon the application of any utility. Furthermore, these rules shall not in any way relieve any utility from any of its duties under the laws of this State. (Filed, secretary state's office—August 4, 1937.)

Rule 2. Application of Rules. (a) These rules shall apply to any person, firm, or corporation, except municipalities or agents thereof, which is now or may hereafter become engaged as a public utility in the business of furnishing gas to domestic or commercial consumers within the State of South Carolina.

(b) The rules are intended to define good practice which can normally be expected. They are intended to insure adequate service and prevent unfair charges to the public, and to protect the utilities from unreasonable demands. The cooperation of the utilities with the Commission is presupposed.

(c) In any case where compliance with any of these rules introduces unusual difficulty, such rules may be temporarily waived by the Com-

mission upon application of the utility. If in such case compliance with the rule would cost more than the results of such compliance are worth to the public and gas consumers, it may be permanently set aside by the Commission. (Filed, secretary state's office—August 4, 1937.)

Rule 3. Definition. In the interpretation of these rules the word "Commission" shall be taken to mean the Railroad Commission of South Carolina; the word "utility" shall be taken to mean any person, firm, corporation, except municipalities or agents thereof, engaged in the business of supplying manufactured gas to domestic, commercial, or industrial users within this State; and the word "consumer" shall be taken to mean any person, firm, corporation, municipality, or other political sub-division of the State supplied by any such utility. (Filed, secretary state's office—August 4, 1937.)

RECORDS AND REPORTS

Rule 4. Records. (a) A complete record shall be kept of all tests and inspections made under these rules as to the quality or condition of service which it renders.

(b) All records of tests shall contain complete information concerning the test, including the date, hour, and place where the test was made; the name of the person making the test and the result.

All records required by these rules shall be preserved by the utility for at least two years after they are made. Such records shall be kept within the State at the office or offices of the utility, and shall be open for examination by the Commission or its representatives at all reasonable hours. (Filed, secretary state's office—August 4, 1937.)

Rule 5. (a) Reports to Commission. Each utility shall, at such times and in such form as the Commission shall prescribe, report to the Commission the results of all tests required to be made or the information contained in any records required to be kept by the utility.

Rule 5. (b) Each utility operating in the State shall make an annual report to the Commission giving such information as the Commission may direct. (Filed, secretary state's office—August 4, 1937.)

GENERAL SERVICE PROVISIONS

Rule 6. Inspection of Plant and Equipment. (a) Each utility shall maintain its plant, distribution system, and facilities at all times in proper condition for use in rendering safe, adequate and continuous service.

(b) Each utility shall, upon request of the Commission, file with the Commission a statement regarding the condition and adequacy of its plant, equipment, facilities and service in such form as the Commission may require. (Filed, secretary state's office—August 4, 1937.)

Rule 7. Interruption of Service. Each utility shall keep a record of any condition resulting in any interruption of service affecting its entire system or major division thereof, including a statement of the time, dura-

tion, and cause of any such interruption. (Filed, secretary state's office—August 4, 1937.)

Rule 8. Accidents. Each utility shall, as soon as possible, report to the Commission each accident happening in connection with the operation of its property, facilities, or service, wherein any person shall have been killed or seriously injured or whereby any serious property damage shall have been caused. Such first report shall later be supplemented by as full a statement as is possible of the cause and details of the accident and the precautions, if any, which have been taken to prevent similar accidents. Such reports or statements shall be kept confidential by the Commission and shall not be accessible for public inspection. (Filed, secretary state's office—August 4, 1937.)

Rule 9. Complaints. Each utility shall make a full and prompt investigation of all service complaints made to it by its consumers, either directly or through the Commission. It shall keep a record of all such complaints received, which record shall show the name and address of the complainant, the date and character of the complaint, and the adjustment or disposal made thereof. (Filed, secretary state's office—August 4, 1937.)

Rule 10. Information for Consumers. (a) Each utility shall, upon request, give its consumers such information and assistance as is reasonable, in order that consumers may secure safe and efficient service; and upon request it shall render every reasonable assistance in securing appliances properly adapted and adjusted to the service furnished.

(b) Each utility shall adopt some means of informing its consumers as to the method of reading meters, either by printing on its bills a description of the method of reading meters, or by a notice to the effect that the method will be explained at the office of the utility upon application. It is recommended that an exhibition meter be kept on display in each office maintained by a utility. (Filed, secretary state's office—August 4, 1937.)

Rule 11. Meter Readings and Bill Forms. (a) Each service meter shall indicate clearly the cubic feet of gas registered by such meter. Where gas is metered under high pressure, or where the quantity is determined by calculation from recording devices, the utility shall supply the consumer with such information as will make clear the method by which the quantity is determined.

(b) Bills shall be rendered periodically, and they shall show the readings of the meter at the beginning and end of the period for which the bill is rendered, the date of the meter reading, the number of cubic feet of gas supplied, and the unit price. On all bills which include any other items than a definite unit price for gas, the other factors used in computing the bill shall be clearly stated, so that the amount may be readily computed from the information appearing on the bill.

Each bill subject to discount for prompt payment shall bear upon its face the date when the bill was mailed or left at the premises of the consumer, or the latest date on which it may be paid without loss of dis-

count or incurring of penalty. (Filed, secretary state's office—August 4, 1937.)

Rule 12. Change in Character of Service. In case any substantial change is made by the utility in the gas pressure or other service conditions which would affect efficiency of operation or adjustment of appliances, the appliances of all consumers in the district affected shall be readjusted by the utility for the new conditions without charge. (Filed, secretary state's office—August 4, 1937.)

TESTING

Rule 13. Definition of a Cubic Foot of Gas. When the gas itself is to be tested under these rules, a cubic foot of gas shall be taken to be that amount of gas which occupies the volume of one cubic foot when saturated with water vapor and at sixty degrees Fahrenheit and under a pressure of thirty inches of mercury. For purpose of measurement of gas to a consumer a cubic foot of gas shall be taken to be the amount of gas which occupies a volume of one cubic foot under the conditions existing in such consumer's meter as and where installed. (Filed, secretary state's office—August 4, 1937.)

Rule 14. Testing Facilities. (a) Each utility shall, unless specifically excused by the Commission, provide such laboratory, meter-testing equipment and other equipment and facilities as may be necessary to make the tests required of it by these rules or other orders of the Commission. The apparatus and equipment so provided shall be subject to the approval of the Commission, and it shall be available at all times for the inspection or use of any member or authorized representative of the Commission.

(b) Each utility shall make such tests as are prescribed under these rules with such frequency and in such manner and at such places as is herein provided or as may be approved or ordered by the Commission unless otherwise directed by the Commission, the methods and apparatus recommended by the National Bureau of Standards in the latest edition of its Circular No. 48, "Standard Methods of Gas Testing," may be used. (Filed, secretary state's office—August 4, 1937.)

METER ACCURACY AND TESTING

Rule 15. Meter Prover. (a) Each utility furnishing metered gas service shall own an approved type of meter prover, preferably of not less than five cubic feet capacity, equipped with suitable thermometers and other necessary accessories, and it shall maintain such equipment in proper adjustment so that it shall be capable of determining the accuracy of any service meter to within one-half of one per cent. Each such meter prover shall be so placed that it will not be subjected to drafts or excessive temperature variations.

(b) The accuracy of all provers and methods of operating them will be established from time to time by a representative of the Commission.

All alterations, accidents, or repairs which might affect the accuracy of any meter prover or the method of operating it shall be promptly reported in writing to the Commission. (Filed, secretary state's office—August 4, 1937.)

Rule 16. Gas Meter Accuracy. (a) **Installation Test.** Every gas service meter, whether new, repaired, or removed from the service for any cause, shall be in good order and shall be correct to within one per cent. when passing gas at approximately 25% rated capacity before being installed for the use of any consumer. Provided, however, that a utility which has less than one thousand consumers and which has no facilities for opening meter cases and adjusting the mechanism, may put a meter back into service if it is not found to be in error by more than one and one-half per cent. and appears otherwise to be in good order.

(b) **Method of Testing.** All tests to determine the accuracy of registration of any gas service meter shall be made with a suitable meter prover, and records of all regular or complaint tests shall be kept in the files of the utility.

(c) **Special Meters.** Any meter, the readings or record of which is based on the differential pressure in such meter or upon the measurement of any portion of the total gas delivered to a consumer, shall be tested for accuracy before installation in a manner satisfactory to the Commission. (Filed, secretary state's office—August 4, 1937.)

Rule 17. Record of Meters and Meter Tests. (a) Whenever any gas service meter is tested the original test record shall be preserved, including the information necessary for identifying the meter, the reason for making the test, the reading of the meter upon removal from service, and the result of the test, together with all data taken at the time of the test in sufficiently complete form to permit the convenient checking of the methods employed and the calculations.

(b) A record shall also be kept numerically arranged, indicating for each meter owned or used by any utility the date of purchase, its identification, a record of the use, repairs, and tests to which it has been subjected, and its present location. (Filed, secretary state's office—August 4, 1937.)

Rule 18. Prepayment Meters. No utility shall use prepayment meters geared or set so as to cause a rate or amount higher than would be paid if a standard type meter were used, except under such special rate schedule as may be approved by the Commission for this class of service. (Filed, secretary state's office—August 4, 1937.)

Rule 19. Location of Meters. No consumer's meter shall be installed in any location where it may be unreasonably exposed to heat, cold, dampness, or other cause of damage, or in any unduly dirty or inaccessible location. (Filed, secretary state's office—August 4, 1937.)

Rule 20. Periodic Testing of Meters. (a) No gas service meter hereafter installed shall be allowed to remain in service more than five years from the time when last tested.

(b) During each period of twelve months after these rules take effect, until all meters now in service shall have been tested, each utility shall remove approximately twenty per cent. of all meters now in service, those longest in service being removed first. Such meters shall not be replaced in service until tested and made to comply with the other provisions of these rules. (Filed, secretary state's office—August 4, 1937.)

Rule 21. Meter Testing on Request of Consumers. (a) Each utility shall, at any time when requested in writing by a consumer upon reasonable notice, test the accuracy of the meter in use by him.

No deposit or payment shall be required from the consumer for such meter test except when a consumer requests a meter test within six (6) months after date of the installation or of the last previous test of this meter, in which case he shall be required by the utility to deposit with it, to cover the reasonable cost of such test, an amount not to exceed the following:

For each standard type gas service meter—

Not exceeding 10 light capacity.....	\$ 1.00
Exceeding 10 lights but not exceeding 45 lights capacity.....	2.00
Exceeding 45 lights capacity.....	4.00

For any meter rated other than by lights capacity, including increased capacity meters commonly called "A" and "B" meters, the deposit shall be the same amount as is required for a meter of corresponding size rated by its lights capacity.

The amount so deposited with the utility shall be refunded or credited to the consumer, as a part of the settlement of the disputed account if the meter is found, when tested, to register more than three per cent. fast; otherwise the deposit shall be retained by the utility.

(b) A consumer may be present when the utility conducts the test on his meter, or if he desires, may send an expert or other representative appointed by him.

(c) A report giving the name of the consumer requesting the test, the date of the request, the location of the premises where the meter has been installed, the type, make, size, and serial number of the meter, the date of removal, the date tested, and the result of the test, shall be supplied to such consumer within a reasonable time after the completion of the test. (Filed, secretary state's office—August 4, 1937.)

Rule 22. Adjustment of Bills for Meter Error. (a) Fast Meters. If on test of any gas service meter made by the Commission, as may be later authorized, or the utility under Rules 20 and 21, whether at the request of a consumer or not, it be found more than three per cent. fast, the utility shall refund to the consumer such percentage of the amount of his bills for the period of sixty days just previous to the removal of such meter from service—or for the time the meter was in service, not exceeding sixty days—as the meter shall have been shown to be in error by such test in excess of three per cent. Provided, however, that if the error was due to some cause, the date of which can be fixed, and which date is

within the sixty days' period herein mentioned, the overcharge shall be computed back to but not beyond, such time. No part of any minimum service charge shall be refunded.

(b) **Slow Meters.** If on test of any gas service meter made by the Commission, as may be later authorized, or by the utility under Rules 20 and 21, whether at the request of a consumer or not, it be found more than three per cent. slow, the utility may collect from the consumer the amount estimated to be due from the consumer for gas used, but not charged for in bills rendered not to exceed the sixty days previous to removal of the meter. (Filed, secretary state's office—August 4, 1937.)

HEATING VALUE REQUIREMENTS AND TESTS

Rule 23. Calorimeter Equipment and Laboratory. (a) Each utility selling more than ten million cubic feet of manufactured gas per year shall provide and maintain a calorimeter of a type approved by the Commission, and all necessary accessories therefor.

(b) The calorimeter equipment shall be installed in a suitable testing station, the location of which testing station shall be selected by the utility and approved by the Commission.

(c) The accuracy of all calorimeters, as well as the method of making heating-value tests, shall be subject to the determination and approval of the Commission or its representative. (Filed, secretary state's office—August 4, 1937.)

Rule 24. Heating Value Tests. (a) Each utility maintaining a calorimeter testing station shall there determine the heating value of the gas supplied to its consumers at least once each day, Sundays and holidays excepted, unless the sales of the utility in the community or communities for which this station is to serve are less than fifty million cubic feet of gas per year, in which case the heating value of the gas shall be determined on not less than three days each week.

(b) Each utility making heating-value determinations shall adopt, subject to the approval of the Commission, a standard form for recording the results of each such test. Each determination of heating value shall be recorded originally upon the form adopted for that purpose, and such forms shall be retained as a permanent record. (Filed, secretary state's office—August 4, 1937.)

Rule 25. Heating Value Requirements. (a) **Average. Requirements.** Each utility supplying manufactured gas shall maintain the monthly average heating value of such gas at any point within one mile of the manufacturing plant at not less than 540 British thermal units gross per cubic foot. Provided, however, that in the case of gas produced in the by-product coke-oven process, or in case of other good and sufficient reason any utility finds it impracticable to manufacture gas of the heating value aforesaid, it shall file a statement with the Commission clearly setting forth all pertinent facts, and the Commission, after investigating may by special order fix such lower average heating value standard as may by it be deemed proper for said utility.

To obtain the monthly average heating value of a gas the results of all tests of heating value made on any day during the calendar month shall be averaged, and the average of all such daily averages shall be taken as the monthly average.

In determining B. T. U. content, all measurements shall be corrected to 60 degrees F. and 30" barometer.

(b) Maximum and Minimum Limits. Heating value of the gas shall be maintained with as little deviation as practicable, and to this end the average total heating value of any day should not exceed or fall below by more than thirty British thermal units the monthly average standard herein fixed, or otherwise fixed by special order of the Commission for a particular utility.

(c) Where manufactured gas is delivered to the mains under a pressure in excess of five pounds per square inch, the heating value may be determined before compression. (Filed, secretary state's office—August 4, 1937.)

(Note. Any statement published by the utility as to the average heating value of the gas supplied should indicate that it was measured under or corrected to standard conditions, i. e., at 60 degrees F. and under a pressure of 30" of mercury.)

PURITY REQUIREMENTS AND TESTS

Rule 26. Purity Requirements. (a) Hydrogen Sulphide. All manufactured gas distributed in this State shall not contain more than a trace of hydrogen sulphide. This gas shall be considered to contain not more than a trace of hydrogen sulphide if a strip of white filter paper moistened with a solution containing 5% by weight of lead acetate is not distinctly darker than a second paper freshly moistened with the same solution after the first paper has been exposed to the gas for one minute in an apparatus of approved form through which the gas is flowing at the rate of approximately five cubic feet per hour, the gas not impinging direct from a jet upon the test paper:

(Such test papers gradually become discolored by exposure to the air, and it is not common practice to preserve them. It is, however, possible to preserve the color by applying a thin white shellac varnish to the paper after it has become entirely dry.)

(b) Total sulphur. All manufactured gas distributed in this State shall contain in each one hundred cubic feet not more than thirty grains of total sulphur.

(c) Ammonia. All manufactured gas distributed in this State shall contain in each one hundred cubic feet not more than five grains of ammonia. (Filed, secretary state's office—August 4, 1937.)

Rule 27. Test of Purity. Each utility supplying manufactured gas shall daily test the gas, leaving its holders for the presence of hydrogen sulphide in the manner above specified.

(For apparatus required and methods of testing see Bureau of Standards Circular No. 48, "Standard Methods of Gas Testing.")

Each utility selling more than one hundred million cubic feet of manufactured gas per year shall provide and maintain such apparatus and facilities as are necessary for the determination of total sulphur and ammonia in the gas; and each such utility shall periodically (preferably semi-monthly) determine the amount of total sulphur and ammonia in the gas distributed by it, and shall keep a record of the results of all such tests, as provided for in Rule 4; **Provided, however,** that any such utility supplying only water gas or oil gas, or mixtures of these, shall not be required to provide apparatus for or make determinations of the amount of ammonia, or total sulphur, except when ordered by the Commission. (Filed, secretary state's office—August 4, 1937.)

GAS PRESSURE REQUIREMENTS

Rule 28. Gas Pressure Limits and Allowable Variation. (a) Maximum and Minimum Limits. The pressure of manufactured gas supplied by any utility, as measured at the outlet of the utility's service pipe, to any consumer, or in the case of high pressure systems at the outlet of the house governor should be maintained as uniform as practicable, and it should never be less than one and one-half inches nor more than eight inches of water column pressure except as the consumer may request in writing the maintenance of some higher pressure when the maintenance of some higher pressure lies within the power of the utility.

(b) Allowable Variation. Between the hours of 5 a. m. and 10 p. m. the pressure of the gas at the outlet of the utility's service pipe, or house governor, to any consumer shall never vary by more than the following amounts, viz.:

Min. pressure maintained	Max. pressure variation permissible
1½ to 3 inches	3 inches
3 to 4 inches	3½ inches
over 4 inches	4 inches

(c) No utility shall be deemed to have violated the preceding paragraph of this rule if it can be shown to the satisfaction of the Commission that the variations, in gas pressure occurring, were due to unforeseen demand or to temporary conditions beyond the control of the utility (change in these hours may be necessary in some localities to conform to the habits of the people in the use of gas).

(b) No utility subject to relatively very heavy demands for house heating purposes only a few days each year shall be deemed to have violated the preceding paragraph of this rule, if it can be shown to the satisfaction of the Commission that the service rendered on such days met reasonably the needs of the consumers, and that no inconvenience was caused them by reason of pressure variation.

(e) No utility shall be deemed to have violated any stipulation of this rule with respect to individual cases if it can be shown to the satisfaction of the Commission that in any such individual case the service lines or any pipe lines on consumers' property or beyond the street curb are of

such size as to render the maintenance of the pressures and pressure variations impracticable. (Filed, secretary state's office—August 4, 1937.)

Rule 29. Pressure Testing Equipment. (a) Each utility shall maintain on its distribution system in each city in which it supplies gas at least one recording gas pressure gauge for each fifty miles of mains, or fraction thereof, and no utility shall maintain less than two such recording-pressure gauges, of which one should be portable.

(b) Each utility shall regularly make record within such recording gauges of the pressure in various parts of its distribution system. The charts or records thus obtained shall bear the date and place where the pressure was taken and shall be filed as a permanent record. (Filed, secretary state's office—August 4, 1937.)

GENERAL PROVISIONS

Rule 30. Deposits from Consumers and Guarantee Payment of Bills.

(a) Each utility may require from any consumer, or prospective consumer, a cash deposit or other acceptable security intended to guarantee payment of current bills. Such required deposit or other security shall not exceed the amount of an estimated sixty days' bill of such consumer. Interest shall be paid by the utility upon cash deposits at the rate of 6% per annum, payable upon the return of the deposit, for the time such deposit was held by the utility, and the consumer was served by the utility; provided such period was not less than six months. If security other than cash is tendered by consumer, and such security is not acceptable to the utility, then the consumer may submit to the Commission security offered and the action of the Commission shall be binding on both parties.

(b) Each utility having on hand cash deposits from consumers or hereafter receiving deposits from them, shall keep records to show: (1) the name of each consumer making such deposit, (2) the premises occupied by the consumer when the deposit was made, (3) the amount and date of making the deposit, and (4) a record of each transaction concerning such deposit such as payment of interest, interest credited, etc.

(c) Each utility shall issue to every consumer from whom a deposit is received a non-assignable receipt.

(d) Each utility shall provide reasonable ways and means whereby a depositor who makes application for the return of his deposit or any balance to which he is entitled, but is unable to produce the original certificate of deposit or receipt, may not be deprived of his deposit or balance. (Filed, secretary state's office—August 4, 1937.)

Rule 31. Discontinuance of Service for Violation of Rules or Non-Payment of Bills. (a) No utility shall discontinue the service to any consumer for violation of its rules or regulations, or for non-payment of bills without first having diligently tried to induce the consumer to comply with its rules and regulations or to pay his bills.

Service shall actually be discontinued only after at least twenty-four hours' notice of such intention shall have been given to the consumer by the utility. Provided, however, that where fraudulent use of gas is de-

tected, or where a dangerous condition is found to exist on the consumer's premises, the gas may be shut off without notice in advance.

Rule 31. (b) Whenever the supply of gas is turned off for violation of rules or regulations, non-payment of bills or fraudulent use of gas, the utility may make a reasonable charge for the cost incurred in cutting the gas off and turning it on again. (Filed, secretary state's office—August 4, 1937.)

Rule 32. Replacement of Meters and Changes in Location of Service.

(a) Whenever a consumer requests the replacement of the service meter on his premises, such request shall be treated as a request for the test of such meter, and as such shall fall under the provisions of Rule 20.

(b) Whenever a consumer moves from the location where gas is used by him and thereby requires the disconnecting and connecting at a new location of the gas supply, and the same work has been done for him within one year preceding, the utility may make a charge. (Filed, secretary state's office—August 4, 1937.)

Rule 33. Extent of System on Which Utility Must Maintain Service.

Each gas utility, unless specifically relieved in any case by the Commission from such obligation, shall operate and maintain in safe, efficient and proper condition all of the facilities and instrumentalities used in connection with the regulation, measurement and delivery of gas to any consumer up to and including the point of delivery into the piping owned by the consumer. (Filed, secretary state's office—August 4, 1937.)

Rule 34. Maps. (a) Suitable maps or records shall be kept on file showing the size, character, and location of each street main, district regulator, street valve, and drip. (Filed, secretary state's office—August 4, 1937.)

Rule 35. Street Main Extensions. (a) Each utility shall adopt rules, subject to the approval of the Commission, under which it will, upon written request for services by a prospective consumer, or a group of prospective consumers located in the same neighborhood, make the street main extension necessary to give service and furnish service-pipe connection or connections. (Filed, secretary state's office—August 4, 1937.)

Rule 36. Rate Schedule, Rules and Regulations. Copies of all schedules of rates for service, forms or contracts, charges for service connections and extensions of mains, and of all rules and regulations covering the relations of consumer and utility, shall be filed by each utility in the office of the Commission. Complete schedule, contract forms, rules and regulations, etc., as filed with the Commission, shall also be on file in the local offices of the utility and shall be open to the inspection of the public.

No schedules of rates, contract forms nor rules and regulations shall be changed until after proposed change has been approved by the Commission. (Filed, secretary state's office—August 4, 1937.)

Rule 31-C. "Where a consumer has been required to make a guarantee deposit this shall not relieve consumer of the obligation to pay the service bills when due, but where such deposit has been made and service has

been discontinued on account of non-payment of bill, then in such event unless consumer shall, within forty-eight hours after service has been discontinued, apply for reconnection of service and pay the account, then in such event the utility shall apply the deposit of such consumer toward the discharge of such account and shall as soon thereafter as practicable, refund the consumer any excess of the deposit." (Filed, secretary state's office—August 4, 1937.)

Rule 31-D. "No electric and/or gas and/or water utility company shall be required to furnish its electric and/or gas and/or water service to any applicant, who at the time of such application, is indebted under an undisputed bill to such utility company for service, either gas or electric or water, theretofore furnished such applicant." (Filed, secretary state's office—August 4, 1937.)

Rule 35-B. "When a would be customer or customers of a public utility, either gas, electric, or water, make application for service at a point not immediately adjacent to a service line of a utility, if the requirement of such service is reasonable, it shall be rendered under reasonable terms and conditions determined by the facts of each case." (Filed, secretary state's office—August 4, 1937.)

Rule 36-C. "All rates, tolls, charges and fares proposed to be put into effect by any public utility under the regulation of this Commission, shall be first approved by this Commission before they shall become effective, unless they are exempt from such approval by statute or other provision of law." (Filed, secretary state's office—August 4, 1937.)

Rule 36-D. "No rate, toll, charge, fare nor service of any public utility under the regulation of this Commission shall be deemed approved nor consented to by the mere filing of a schedule or other evidence thereof in the offices of the Commission; but such approval and consent to be good must be actually and affirmatively made. (Filed, secretary state's office—August 4, 1937.)

ARTICLE II—OPERATION OF WATER UTILITIES COMING UNDER THE JURISDICTION OF THE RAILROAD COMMISSION OF SOUTH CAROLINA.

1. Application for connection.—Connection with the mains of the Water Company will be made upon the written application of the owners of the premises to be supplied with water (or his duly authorized agent), upon blanks provided by the company, and upon compliance by the applicant with the rates, rules and regulations of the company, and after the approval of the application by the company endorsed thereon. The size of service line, valves, meters and other fittings, fixtures or appliances necessary to give the service applied for shall be determined by the company. (Filed, secretary state's office—August 4, 1937.)

2. Application for service.—Upon the application of the owner, or any authorized agent or tenant of the owner, water will be furnished through connections already made, or applied for by the owner, and upon com-

pliance by the applicant with the rates, rules, and regulations of the company, and after the approval of the application by the company endorsed thereon.

The application shall state the name of the owner of the premises, the character and extent of the service desired, a description of the premises, including the name of the street and house number, if any, the number and kind of fixtures through which water will be supplied and such other information as may reasonably be required by the Water Company to enable it to give the desired service.

Such application may be in substantially the following form:

Plant Tap No.

APPLICATION FOR SERVICE

The undersigned hereby requests to be supplied with water by the for the purpose shown hereon, and none other, for which I agree to pay monthly at the regular schedule of rates for a term of not less than months, and to comply with the rules and regulations of the company, making them a part of this agreement. I agree to claim no damage on account of the stoppage of the flow of water resulting from accident, or where necessary to make alterations, repairs or improvements, and I agree to keep all plumbing and fixtures on my premises in repair and promptly stop all leaks. I further agree to pay the water rent for the premises subscribed for by me at the office of the company until I order the water cut off, or give notice to the company of removal from said premises. For failure to comply with this agreement, or any part thereof, the company may cut off the water from such premises without notice to me, except in case of cut off for non-payment of bills, at least twenty-four (24) hours notice shall be given, and discontinue the service regardless of any deposits which may be held by the company to secure the payment upon final accounting.

Nature of Service Name
 No. Openings No. Rooms Street
 Rate Deposit Meter No. Size
 Location Stop Box Fixtures Remarks
 Approved 193.....

By

Signed

Applicant

(Filed, secretary state's office—August 4, 1937.)

3. Change in tenancy or service.—A new application must be made and approved by the company upon any change in tenancy, or in the service, as described in the application, and the company shall have the right to discontinue the water supply until such new application is made and approved. Should a new consumer, occupying such premises fail to apply to the company for water service within forty-eight (48) hours

after occupying such premises, the new consumer shall be liable for all water charges that have accrued since the last reading of the meter prior to the date said new consumer occupied such premises, provided that such new consumer shall in no event be held liable for more than one month's excess charges. (Filed, secretary state's office—August 4, 1937.)

4. Payments.—At the time of making application for connection or service, the applicant must make payment to the company of the fees, deposits, or rates as the case may be, as hereinafter set forth for the service applied for. (Filed, secretary state's office—August 4, 1937.)

5. Connections.—The Water Company will furnish and maintain at its own cost, all necessary fittings, pipes, and appliances, including all meters and meter boxes, to deliver water to the consumer's pipe line, at a point just inside the curb line on the street, and just outside the property line in alleys or other public places; all such fittings, pipes appliances, meters and meter boxes shall remain the property of the Water Company, and shall at all times be accessible to it, and under its control.

The service line from the curb box or meter to the consumer's premises shall be laid and maintained by the applicant at his own cost. The line shall be of ample size, of standard weight and quality, and all cut-offs, valves, fixtures, and appliances furnished by the consumer shall be maintained in good order and condition. (Filed, secretary state's office—August 4, 1937.)

6. Leaks.—All leaks in the service or any other pipe, or fixture on the premises of the consumer shall be immediately repaired. Upon failure to repair any such leak, the service may be discontinued until repairs are made. (Filed, secretary state's office—August 4, 1937.)

7. Inspection.—All pipes, meters and fixtures shall at all reasonable hours be subject to inspection by the water, company, or its duly authorized agents. (Filed, secretary state's office—August 4, 1937.)

8. Damages.—The Water Company shall in no event be responsible for maintaining any service line owned by the consumer nor for damages done by water escaping therefrom, nor for defects in lines, or fixtures, on the property of the consumer. The consumer shall at all times comply with all regulations of the South Carolina Railroad Commission, of the municipality, and of the Water Company, relating to the service lines, and shall make all changes in his line required on account of change in grade, or otherwise.

All injury to service pipes or street mains caused by the careless or negligent work, or improper filling of excavations, shall be chargeable to the persons causing such injury, and the expense of repairing same shall be recovered from such person. (Filed, secretary state's office—August 4, 1937.)

9. Consumers.—A "consumer" is defined to be a "person, firm or corporation taking water through a single service pipe for a single building or business," and a minimum or flat charge shall be paid by each consumer whether there is a separate meter or service pipe for each consumer or not. **Provided, However:**

(a) That the owner of a single building used as a dwelling or apartment house, and occupied by one or more families, may connect such building or apartment house, if not already connected with the mains of the Water Company and be served by a single service line for which one minimum charge shall be paid, in which case the application for service shall be made by the owner, or his duly authorized agent or tenant, and the bills for water shall be paid by the owner.

(b) Each separate store or place of business shall be considered a separate building and shall pay a separate minimum.

(c) Where a building is occupied as to the ground floor for business purposes, and as to upper floors for offices or for dwellings, if the application is signed and the water bills paid by the owner, all such upper floors shall be considered as one service, and one minimum charge shall be paid and collected for such upper floors, provided a separate service is installed.

(d) Where two or more families or places of business, or offices in a single building are supplied with water through a single service line, and the owner of the building either in person or by his duly authorized agent fails or refuses to sign an application for service, or fails to pay the bills for water when due, or who fails to abide by all the rules and regulations of the company, the service may be discontinued; but no such action involving the shutting off of the water supply of an innocent consumer shall be taken without first affording the tenant of the premises opportunity to make a new application for a supply of water through a separate service line or meter.

(e) Where two or more buildings or two or more families or establishments in a single building, are supplied by a single service line, with the approval of the Water Company, and where the owner or occupants of such buildings or such families or establishments desire to contract separately for water furnished the owner shall first arrange the several house connections, or the plumbing in such a way that a separate meter and stop and waste cock with seal approved by the Water Company, can be placed upon the supply line of each of said consumers, thereupon the Water Company shall install separate connections for each consumer making application therefor. In such cases, a separate minimum charge shall be assessed against each consumer.

(f) Where a servant's house is located on the same lot as the dwelling and such servant's house is occupied by the servants of the family occupying the main dwelling and where a single service pipe supplies both the dwelling and the servant's house and the owner or tenant of the dwelling is responsible for the entire water bill, the company will only assess a single minimum charge on the dwelling and none against the servant's house. (Filed, secretary state's office—August 4, 1937.)

10. Transient consumers.—In the case of transient consumers or consumers taking water for less than months, the Water Company may make a charge of not more than \$1.00 to cover reconnection with its mains and installation, reading and removing meter and charge for water consumed at regular meter rates. The Water Com-

pany may require a deposit to be made in advance by such temporary or transient consumers to cover the cost of making the connection and the probable water bill. (Filed, secretary state's office—August 4, 1937.)

11. New services.—Upon installation of any new service the Water Company may make a charge of not more than to cover the cost of making a connection with its mains, installing the meter and charge for water consumed at regular meter rates. The water company may require a deposit to be made in advance by such consumers to cover the cost of making the connection and the probable water bill. (Filed, secretary state's office—August 4, 1937.)

12. Stop and waste.—A stop and waste cock or cut-off valve must be placed in the pipe line on the premises of the consumer to be used in case of break, or other necessity, whereby pipes to be repaired can be cut off without the necessity of using the street corporation cut off. (Filed, secretary state's office—August 4, 1937.)

13. Meters.—All meters will be furnished by the Water Company and shall remain its property and be accessible to and subject to its control. They shall be conveniently located at a point approved by the Water Company, so as to control the entire supply, and when located on premises of consumer a proper place and protection therefor shall be provided by consumer.

(a) Where water is furnished by a flat rate, the Water Company shall have the right to install and maintain a meter to determine the quantity supplied, and the consumer shall provide a suitable location therefor. The Water Company shall have the right to continue the use of the meter, and furnish water by meter rate only and consumer shall thereafter pay the meter rate schedule. The Water Company also reserves the right to change from flat-rate service to metered service at any time.

(b) Meters will be maintained by the company, so far as ordinary wear and tear are concerned, but damage due to freezing, where located inside the building or cellar, or due to hot water, or external causes, shall be paid for by the consumer.

The consumer shall notify the Water Company of any injury to or the non-working of the meter, as soon as it comes to his knowledge.

(c) When water is furnished by meter, the quantity recorded by it shall be conclusive on both the consumer and the Water Company, except when the meter has been found to be registering inaccurately or has ceased to register. In the latter case the quantity may be determined by the average registration of the meter when in order.

(d) In case of a disputed account, involving the accuracy of a meter, such meter shall be tested upon request of the consumer, in conformity with the provisions of the rules and regulations of the South Carolina Railroad Commission. In the event that the meter so tested is found to have an error in registration of three (3) per cent or more, the bills will be increased or decreased accordingly, but in no case shall such a correction be made for more than sixty (60) days. (Filed, secretary state's office—August 4, 1937.)

14. Discontinuance of service.—Service under any application, including public fire protecting, and by any other municipal use, may be discontinued for any of the following reasons:

(a) For misrepresentation in application as to property or fixtures to be supplied, or the use to be made of the water supply.

(b) Under flat-rate service, for adding to said property or fixtures or for changing the use to be made of the water supply, without notice to and the consent of the Water Company.

(c) For molesting any service pipe, meter, curb-stop-cock, seal, or any other appliance of the Water Company controlling or regulating the water supply.

(d) For neglecting to make or renew advance payments, or for non-payment of any account for water supplied or water service, or fire protection, or of any scheduled fee or charge as required by Paragraph 21 of these rules and regulations.

(e) For violation of any rules of the company.

(f) In case of vacancy of premises. (Filed, secretary state's office—August 4, 1937.)

15. Water will be turned off of any premises, upon the written order of the consumer, without in any way affecting the existing application. (Filed, secretary state's office—August 4, 1937.)

16. No water fixture or appliance in connection therewith will be considered cut off until it is discontinued so that it cannot be used again, or is sealed in a manner satisfactory to the Water Company. (Filed, secretary state's office—August 4, 1937.)

17. No plumber, owner, or other unauthorized person shall turn the water on or off at any corporation stop or curb stop, or disconnect or remove the meter without the consent of the Water Company. (Filed, secretary state's office—August 4, 1937.)

18. As necessity may arise in case of break, emergency or for other unavoidable cause, the Water Company shall have the right to temporarily cut off the water supply, in order to make necessary repairs, connections, etc. In such a case the Water Company shall not be liable for any damage or inconvenience suffered by the consumer; or any claim against it at any time for interruption in service, lessening of the supply, inadequate pressure, a poor quality of water, and for any causes reasonably beyond its control. (Filed, secretary state's office—August 4, 1937.)

19. The water company shall have the right to reserve a sufficient supply of water at all times in its reservoirs, to provide for fires and other emergencies, or may restrict or regulate the quantity of water used by consumers in case of scarcity, or whenever the public welfare may require it. No street or lawn sprinkling shall be done at times of water shortage; no street or lawn sprinkling shall be done by flat-rate users except by hose held in hand, or at any other time than from 6:00 A. M. to 8:00 A. M. and from 5:00 P. M. to 7:00 P. M. and sprinkling shall be discontinued during the period whenever an alarm of fire is rung. (Filed secretary state's office—August 4, 1937.)

20. Renewal of service.—When service has been discontinued, the same will be renewed under a proper application, when conditions under which the services were suspended, are corrected, and upon the payment of all charges provided in the schedule of rates or tariffs of the Water Company.

A consumer whose service has been discontinued at one residence or place of business will not have the right to require service to be renewed at another residence or place of business until all charges of the Water Company for water furnished have been paid, and its rules and regulations complied with.

Where water has been turned off for non-payment of a bill, or for any other valid reason, it shall not be turned on again until the consumer shall have paid a "turn on charge" of not more than \$1.00. The same charge shall be made for turning off water at the request of the consumer due to repairs on his premises, or to reported vacation or disuse. (Filed, secretary state's office—August 4, 1937.)

21. Terms of payment.—Where no deposit is required by the Water Company minimum charges for meter rates and flat rates shall be due and payable in advance, either monthly or quarterly at the option of the Water Company. All meter charges over and above minimum charges shall be payable at the same time, for service rendered during the preceding quarter or month as the case may be. Bills shall be delinquent ten days after the day of the month the monthly or quarterly charge may be due. (Filed, secretary state's office—August 4, 1937.)

22. Abatement and Refunds.—Abatement or refund will be made of a portion of flat rate or minimum charges in the proportion that the period of vacancy of the premises bears to the entire period for which payment is due or has been made; provided, that no abatement or refund shall be made for fractions of a month, and that consumers who take service for a period less than six months will not be entitled to a refund or abatement. (Filed, secretary state's office—August 4, 1937.)

23. General rules and regulations.—No abatement on meter bills will be made for leaks or for water wasted by damaged fixtures.

(a) No agent or employee of the Water Company shall have authority to bind it by any promise, agreement or representation in violation of these rules and regulations.

(b) No person except an employee of the Water Company duly authorized shall take water from any fire hydrant for any purpose except for fire purpose or for use of the fire department in case of fire, and water shall not be taken from a fire hydrant for sprinkling streets, flushing gutters, or sewers, or for any purpose except the extinguishment of fires, unless specially permitted in writing by the Water Company for the particular time and occasion.

(c) The rate fixed in the schedule to be paid for fire hydrants contemplates the use of a sufficient amount of water through said hydrants for a **bona fide** purpose of extinguishing fires, by or under the supervision of fire department employees or officials, and does not authorize the

use of said hydrants and the water that flows through them by so called salvage companies or any other unauthorized person.

(d) No consumer will be allowed to furnish water to another person, except in cases of emergency, and then only for a limited time, or until such emergency shall have passed. (Filed, secretary state's office—August 4, 1937.)

24. Bills and notices of the company relative to its business will be mailed or delivered to the consumer's last address as shown by the records of the company and failure to receive a bill shall not extend the time of payment of bill due. (Filed, secretary state's office—August 4, 1937.)

25. The company may require all new consumers who desire both regular commercial service and fire protection service to install separate service lines, one to be used only for fire protection. The company may require all old consumers who now have only one service connection for combined commercial service and for fire protection to install separate lines, all expenses incurred in making such change to be paid for by the company. In cases where separate lines are installed, the consumer is not permitted to take water from the fire protection line except for the extinguishing of fires or for fire drills. Neither will the company permit an inter-connection to be made between the regular service line and the fire protection line. (Filed, secretary state's office—August 4, 1937.)

26. The company reserves the right at any time to alter, amend or add to these rules and regulations, or to substitute other rules and regulations therefor, subject to the approval of the South Carolina Railroad Commission. (Filed, secretary state's office—August 4, 1937.)

§ 8273, 1932 CODE—give notice of repairs—proceedings

No. 1. Repairs and improvements.—Whenever in the judgement of the Public Service Commissioners it shall appear that repairs are necessary upon any railroad in this State, or that any addition to the rolling stock, or that any enlargement of, or improvement in, the stations or station houses, or any changes in the mode of operating the road and conducting its business, is reasonable and expedient, in order to promote the security, convenience and accommodation of the public, they shall give information in writing to the railroad company of the improvements and changes which they adjudge to be proper, and if said company shall fail, within sixty (60) days, to adopt the suggestion of said Commissioners, they will take such legal proceedings as they may deem expedient. (Filed, secretary state's office—June 30, 1937.)

§ 8275, 1932 CODE—investigate causes of accidents

§ 8375, 1932 CODE—accidents—notice to be given—penalty

No. 1. Accidents.—Every railroad corporation shall cause immediate notice of any accident which may occur on its road, attended with injury to any person, to be given to the Public Service Commissioners, by telegraph, telephone or such other means as may be the quickest under the

circumstances, at the same time that notice is given the officials of the road on which accident occurred, and shall furnish immediate transportation for the Commissioners over its line to the place of accident free of expense to the Commissioners, and if the Commissioners use another railroad to reach the place of accident, the corporation on whose line the accident occurs shall pay the expense of transportation thereon, and shall also give notice in like manner of any accident falling within any description of accidents of which said Commissioners may by general regulation require notice to be given.

Also, every railroad corporation upon whose line any accident may occur, attended with injury to any person or persons, is, in all such cases, required to immediately notify the most accessible physician or physicians, by quickest possible means, of place of accident and require the giving of such medical or surgical attention as the case or cases may require. (Filed, secretary state's office—June 30, 1937.)

No. 2. Accidents.—All express companies in South Carolina are required to comply with Section 4923 of the General Statutes of South Carolina, "Accidents, Notice to be Given," and Rule No. 14 of the Public Service Commission, "Accidents." (Filed, secretary state's office—June 30, 1937.)

§ 8276, 1932 CODE—may require information

No. 1. Railroads required to furnish information.—Every railroad corporation operating in this State shall at all times, on request, furnish the Public Service Commissioners any information required by them concerning the condition, management and operation of its railroads. (Filed, secretary state's office—June 30, 1937.)

§ 8279, 1932 CODE—annual reports of railroads—blanks—defective reports—transmitting report to Governor

§ 8280, 1932 CODE—fiscal year for reports from railroads to end December 31

§ 8281, 1932 CODE—reports to be made in conformity to change effected herein

§ 8214, 1932 CODE—annual schedule and report to be filed with public service commissioners

No. 1. Filing reports and furnishing information.—Each company shall file in the office of the Commission, on or before the last day of each month, a report, duly sworn to, showing fully and in detail the earnings and expenses of such company during the month preceding.

And each of said companies shall, on or before the first day of March of each year file in the office of the Commission an annual report, duly sworn to, showing fully and in detail the operations of such company during the preceding fiscal year, to-wit: from January the first to December the thirty-first, both inclusive.

All of said reports shall be rendered on, and in accordance with, the printed forms that the Commission will prescribe and furnish for that purpose.

In addition to the foregoing, each of said companies shall furnish such other reports and information as the Commission may require from time to time.

Furthermore, it shall be the duty of each of said companies to produce, for the inspection of the Commission, any and all books, papers, contracts, agreements and other original records, of any character whatsoever, that may be in possession of said company, or within its power, custody or control, or copies thereof, as may be demanded and designated by the Commission. (Filed, secretary state's office—June 30, 1937.)

§ 8280, 1932 CODE—fiscal year reports from railroads to end December 31

See §§ 8279, 8280, 8281, and 8214, 1932 Code, this volume, page 1501.

§ 8281, 1932 CODE—reports to be made in conformity to change effected herein

See §§ 8279, 8280, 8281, and 8214, 1932 Code, this volume, page 1501.

§ 8283, 1932 CODE—right to issue subpoena—witness fees—penalty for disregard of subpoena—contempt

§ 8286, 1932 CODE—examination of books on application of certain persons

*** No. 1. Affidavits required.**—When expressly ordered, upon the hearing of any cause that may hereafter come on to be heard before the Commission, the respective parties shall present the testimony of their witnesses by affidavits, in like manner as the same are now by law required to be submitted upon the hearing of applications for injunctions. (Filed, secretary state's office—June 30, 1937.)

*** No. 2. Copies of affidavits to be furnished opposite side.**—All affidavits, intended to be offered by either party, shall be served upon the opposite party, his counsel or agent, having control of his case, at least five days, and all counter-affidavits at least twelve hours, before the day of their hearing. This rule of procedure will be varied only when, in the exercise of a sound discretion, this Commission shall be of the opinion that a departure from this letter thereof may be necessary to the attainment of substantial justice. (Filed secretary state's office—June 30, 1937.)

§ 8286, 1932 CODE—examination of books on application of certain persons

See §§ 8283 and 8286, 1932 Code, this volume, page 1502.

* Not applicable to proceedings involving common carriers by rail. See Commission's "Rules of Practice".

§ 8288, 1932 CODE—investigation of books and papers—agents and employees—delegation of powers—penalties

*** No. 1. Complaint and answers.**—All complaints or petitions to the Commission must plainly and distinctly state the grounds of complaint, the items being numbered and clearly set forth in writing.

In like manner, all defenses must be distinctly made in writing, and the items correspondingly numbered, as above stated.

These specifications, whether of complaint or of defense, may be accompanied, if the parties so desire, by any explanation or argument, or by any suggestion touching the proper remedy or policy. The parties may also be heard in person, or by attorney, or by written argument, upon such written statements being first filed. (Filed, secretary state's office—June 30, 1937.)

§ 8295, 1932 CODE—charges in proportion to distance—passengers—freights and cars—construction and application

§ 8304, 1932 CODE—public service commissioners to make freight and passenger tariffs—regulations

No. 1. Discrimination.—All of the various kinds of tickets that may be on sale at any and all other offices of a given railroad company, in any given town or city, shall likewise be kept on sale at the depot ticket office of such railroad company in such town or city, at the same prices.

There shall be no unjust discrimination as to passenger rates in favor of or against any individual or locality: **Provided, however,** That this rule shall not be so construed as to prevent railroad companies issuing commutation, excursion or mileage tickets as the same are now issued (Filed, secretary state's office—June 30, 1937.)

§ 8297, 1932 CODE—charges for shorter hauls—construction

No. 1. Regulating charges for shorter distances.—The railroads will not be required to regulate their charges for shorter distances by their proportion of through rates between terminal or junctional competitive points. (Filed, secretary state's office—June 30, 1937.)

No. 2. Rates between competitive points.—Where there are two or more railroad lines between any two points in South Carolina, having through connections, the lowest freight rate established between such points shall be charged by the other lines accepting the freight for transportation between said points. (Filed, secretary state's office—June 30, 1937.)

* Not applicable to proceedings involving common carriers by rail. See Commission's "Rules of Practice".

§ 8304, 1932 CODE—public service commissioners make freight and passenger tariffs—regulations

See §§ 8251 and 8304, 1932 Code, this volume, page 1473.

See §§ 8295 and 8304, 1932 Code, this volume, page 1503.

No. 1. Local shipments.—All shipments moving locally by rail, between points in South Carolina, are subject to the rates, rules and regulations as adopted by the Public Service Commission of South Carolina, unless there is issued at the time of shipment at the place the shipment originates, or at the nearest agency station thereto, through interstate bill of lading to the final point of destination of the shipment, or such a bill of lading as may be exchanged for ship's bill of lading at a place of export. (Filed, secretary state's office—June 30, 1937.)

No. 2. Joint rates defined, manner of making combination rates.—Joint freight rates are those ordered put in, or authorized, by the Public Service Commission of South Carolina, which rates shall only apply on shipments moving between two points in the State of South Carolina, over two or more railroad routes, not under the same management or control.

(b) In making combination rates between points in South Carolina where no joint rates are in effect, no railroad shall charge more than its maximum rates, less twenty per cent., except that in no case shall the total rate so made be less than the maximum mileage rate for the total short line distance.

(c) In making combination rates, where one or more of the factors are specific point to point or mileage rates lower than the maximum rates prescribed by the Commission and the other factor or factors is the maximum mileage rate, the factor or factors which is the maximum mileage rate is subject to a deduction of twenty per cent except that the total rate so made must not be less than the maximum mileage rate for the total short line distance. Where one or more of the factors are specific point to point rates, or mileage rates voluntarily established by the railroads lower than the maximum rates or scales, such rates will not be subject to a deduction of twenty per cent.

(d) "The maximum mileage rates" are the mileage rates (or scales) prescribed by the Public Service Commission of South Carolina.

(e) Fractions resulting in the deduction from the maximum mileage rate, as required by this rule, shall be disposed of in accordance with the provision of Rule No. 16 exceptions No. 8, Note 53, before combining the factors which constitute the through rate. (Filed, secretary state's office—June 30, 1937.)

No. 3. Distances for changing rates.—Ten miles has been fixed as the usual limit for a change of freight rates in South Carolina, but the railroads may, if they so desire for intermediate distances, adopt rates also intermediate between those given in the tables.

When the distance between stations ends in a fraction of a mile, such fraction, if .5 or over, will be counted as a mile. If less than .5, such fraction will not be considered.

Stations not over two miles beyond the upper limits of ten-mile group may be included in such group. The Commission reserves the right, however, to correct the charge in extreme cases which work hardships, although the same may not violate the letter of its rules. (Filed, secretary state's office—June 30, 1937.)

No. 4. No change of rates without approval of the Commission.—The rates fixed or authorized by this Commission are to be regarded as maximum rates, which the railroads shall not exceed, except when specifically authorized by rule or written consent of this Commission. The railroads may adopt lower rates with the consent of the Commission, but if they do so for one shipper or person, they must, for like service, apply the same reduction of rates for all other persons and if they fix less freight rates from one station, they shall make a corresponding reduction of the same per cent. at all stations along the line of road, so as not to discriminate against any person or locality except as provided in Rule 25. (Filed, secretary state's office—June 30, 1937.)

No. 5. No discrimination allowed.—There shall be no discrimination by any railroad company chartered by this State in favor of or against any railroad company with which it may connect, but each road shall deal with all its connections at any one point on the same terms, and shall afford the like usual customary facilities for the interchange of freight between all of its connections at the same point, any contract, combination, joint ownership or management to the contrary notwithstanding. (Filed, secretary state's office—June 30, 1937.)

No. 6. No rebate permitted.—No rebate, bonus, drawback or other advantage in any form shall be allowed, directly or indirectly, upon shipments made or service rendered to any person, but the rates shall be the same to all. (Filed, secretary state's office—June 30, 1937.)

No. 7. Milling-in-transit rules.—**Section 1.** Wheat or corn may be shipped from railway stations in South Carolina.

Section 2. To milling points located on the railroads in South Carolina and milled and the product reshipped to stations in South Carolina under the following rules, viz.:

Section 3. Shipments of wheat or corn to be milled in transit must be filled to the milling point at full tariff rates.

Section 4. Original bills of lading and expense bills for wheat or corn (the product of which is to be reshipped), must be surrendered to the railroad's agent at milling point.

Section 5. These bills of lading and expense bills must be cancelled so as to prevent their use a second time.

Section 6. The agent at milling point must keep a ledger account with the mill, which should show the receipts of wheat or corn, and the shipments of each kind of milled product made thereunder.

Section 7. Waybills for the product from milling points must show the original point of shipment of the wheat or corn from which it is milled

and the number and date of the waybill upon which it is received at the mill.

Section 8. When the conditions of these rules have been fully complied with the agent at the milling point is authorized to waybill shipments of milled products at the difference between the rate on the wheat or corn into the mill and at the rate on the milled product for a distance equal to the sum of the distance from point of origin of the grain (from which milled), to the milling point, plus the distance from the milling point to destination of the milled product, as provided for in local tariff of all railroads.

For example, the agent at Rock Hill, S. C., has a shipment of flour in sacks milled from wheat received from a point 75 miles distant from Rock Hill, to be reshipped to a point 50 miles from Rock Hill. In this instance the total haul is 125 miles. The rate on the wheat into the mill is 19 cents, the rate on the flour in sacks (Class C) for a distance of 125 miles is 27 cents. Shipments should be waybilled from Rock Hill to destination at the difference between the rate on the grain into the mill and the rate on flour in sacks for the combined distance, or 125 miles which is 8 cents per hundred pounds. (Filed, secretary state's office—June 30, 1937.)

§ 8304, 1932 CODE—public service commissioners to make freight and passenger tariffs—regulations

§ 8305, 1932 CODE—schedule of rates—evidence—schedules to be posted—penalty

No. 1. Notice to be Given Before Change of Rates.—Before any rate shall be fixed, established or changed by the Public Service Commission, the railroad company to be affected thereby shall have at least twenty (20) days' notice of the time and place when and where the matter of fixing or changing such rate will be considered by the Commission in session; and said railroad company shall be entitled to be heard at such time and place, to the end that justice may be done. (Filed, secretary state's office—June 30, 1937.)

No. 2. Conflict Between Rates.—Whenever there is a conflict between class and commodity rates, or between mileage rates and commodity rates, for the transportation of freight, between any two points in South Carolina the lowest rate in effect shall be charged. (Filed, secretary state's office—June 30, 1937.)

No. 3. Articles not Classified.—Rates for the transportation of any article not included in the Freight Classification may be assessed as if upon the article most analogous to it in said classification. (Filed, secretary state's office—June 30, 1937.)

No. 4. Adjusting Overcharges.—Railroad companies shall adjust all freight charges promptly when shipments are delivered, and apply only the legal, published rates and classifications in effect at time shipment moved from point of origin.

Actual weights must be observed in settling charges, unless otherwise provided for in classification.

If, after settlement is made, an overcharge appears, the railroad company collecting such overcharge shall make proper refund to shipper or consignee when demand is made and said overcharge is shown. (Filed, secretary state's office—June 30, 1937.)

No. 5. Rates for Less Than Carloads not to Exceed Carload Rates.—The charge for a less than carload shipment must not exceed the minimum charge for a minimum carload of the same freight at the same rating; provided the loading is done by the consignor and the unloading by the consignee; the charge for a car fully loaded must not exceed the charge for the same lot of freight being taken as a less than carload shipment. (Filed, secretary state's office—June 30, 1937.)

No. 6. Carload Minimum.—Unless otherwise specified in South Carolina Exception sheet, the minimum carload weight for all articles specified therein, shall be 20,000 lbs, and this shall be the minimum—regardless of length of the car used.

Carload minimum weight for all carload shipments except where included in South Carolina Exception sheet, subject to specified minimum weight, shall be the minimum weight specifically named in Southern Classification, or South Carolina Exception sheet, supplements thereto and reissues thereof. Such carload minimum weights will not be increased because a car over 36 feet in length is furnished. (Filed, secretary state's office—June 30, 1937.)

No. 7. Carload and Ton Defined.—A carload shipment is a consignment of at least the specified minimum carload weight of one class of freight, at one time, by one consignor, from one point of consignment to one consignee, at one point of delivery.

A ton is 2,000 pounds unless otherwise provided. (Filed, secretary state's office—June 30, 1937.)

No. 8. Assessing Rates Where not Otherwise Provided for.—Between points where rates are not provided for, the Commission will, on application of shipper, consignee, or railroad interested, make reasonable rates for immediate use, or to correct charges previously assessed for which no rates are published. (Filed, secretary state's office—June 30, 1937.)

No. 9. Posting Schedules.—All express companies in South Carolina are required to file with the Commission, to print and keep posted at each of their offices in this State, schedules of rates, classification and charges for the carrying of freight, which shall be opened during office hours to public inspection. (Filed, secretary state's office—June 30, 1937.)

No. 10. Changes in Rates and Classification.—No change in express rates or classification shall be made until thirty (30) days' notice of such change has been filed or posted at all express offices or agencies in this State, and not until thirty (30) days' notice has been given the Commission, and not until the consent of the Commission has been obtained. (Filed, secretary state's office—June 30, 1937.)

§ 8304, 1932 CODE—public service commissioners to make freight and passenger tariffs—regulations

§ 8327, 1932 CODE—shipper to have the right to designate route

No. 1. Routing Shipments.—The right of the shipper to direct by what road or roads in this State his shipments shall be transported must be observed by the carriers.

Whenever a shipper tenders to any railroad, express or other transportation company, a shipment for transportation between points within this State, and give such company routing instructions, it shall be the duty of said company to receive such shipment and forward according to instructions given. And if it be necessary in complying with such routing instructions for the shipment to pass over the lines of two or more companies it shall be the duty of the initial company to so deliver to its connection, and each succeeding company shall do likewise, as will cause compliance with routing instructions, and the lowest rate applicable via such specified route shall be applied.

Where shipments are tendered without routing instructions, the company receiving same in the first instance shall forward said shipment, with due regard to the interests of the shippers and by that reasonable and practicable route over which the lowest charge for transportation applies, and any damage resulting to a shipper from a disregard of this obligation by any company shall be repaired by the company responsible for the misrouting making reparation to shipper to the extent of the difference between the necessary expense incurred in making delivery of shipment over the route by which same improperly moved and the necessary expense which would have been incurred had shipment been properly routed: **Provided**, That any reparation made upon this account shall in no wise affect the right of shipper to any claim for actual damages sustained in excess of the difference in expense incurred in making delivery as herein provided.

No railroad shall decline or refuse to transport any article proper for transportation. (Filed, secretary state's office—June 30, 1937.)

§ 8305, 1932 CODE—schedule of rates—evidence—schedules to be posted—penalty

See §§ 8304 and 8305, 1932 Code, this volume, page 1506.

No. 1. When Rates Are Effective.—All authorities for rates issued by the Commission may be made effective at once, or as soon after date of issuance as possible, but in no case later than thirty (30) days after the date of the Commission's authority, unless otherwise specified. (Filed, secretary state's office—June 30, 1937.)

No. 2. Posting of Rates.—Railroads in this State are required to keep "posted" in all their stations copies of rate schedules with tables showing distances between all stations, applying on their respective roads. It shall be the duty of all such railroads to obtain as needed, from the Public

Service Commission, all such schedule of rates, including such changes or revisions as may from time to time be made, and to "post" copies of same as required by law. (Filed, secretary state's office—June 30, 1937.)

§ 8319, 1932 CODE—consignees of coal, etc., may have same reweighed by commissioner

§ 8323, 1932 CODE—public service commission have jurisdiction over track and platform scales

No. 1. Weighing Carload Shipments.—Any consignee of coal or other articles to be delivered to him in carload lots by any common carrier at any point within the limits of this State where such common carrier maintains track scales or track scales are accessible, shall have the right to demand that such coal or other articles be reweighed before delivered to him by said common carrier, within forty-eight (48) hours after such demand to reweigh the same, and to deliver to such consignee a written or printed or partly written and partly printed statement, showing the true weight thereon, and that where track scales are accessible and whenever practicable, all railroad companies operating in South Carolina are required to weigh all loaded tank cars for shipment of oil on track scales at the station of the initial line, or at the oil mill where such cars are to be loaded and to weigh these cars on same scales when loaded, and issue Bill of Lading therefor with actual weight of the contents of each car inserted thereon. And that weight of cars may be accurately determined, each car shall be weighed separately and uncoupled at each end from other cars upon the request or consignee. (Filed, secretary state's office—June 30, 1937.)

§ 8323, 1932 CODE—public service commission have jurisdiction over track and platform scales

§§ 8319 and 8323, 1932 Code, this volume, page 1509.

§ 8326, 1932 CODE—furnish facilities for receiving and forwarding freight

No. 1. Conductors on Pullman, Dining Cars, etc.—No sleeping car, chair car, parlor car, dining car or buffet car shall be operated on any line of railroad in South Carolina, when occupied by regular passengers holding proper transportation for the occupancy of such cars, unless such cars are continuously in charge of an employee or an authorized agent of the firm or corporation owning or operating same, having the rank and position of conductor. (Filed, secretary state's office—June 30, 1937.)

§ 8326, 1932 CODE—facilities for receiving and forwarding freight to be furnished

§ 8329, 1932 CODE—railroads interchange freights

No. 1. Delays in Transportation.—No railroad shall, for any cause, subject any article of freight to unreasonable delay in receiving, delivering or forwarding the same. (Filed, secretary state's office—June 30, 1937.)

§ 8327, 1932 CODE—shipper to have the right to designate route

See §§ 8304 and 8327, 1932 Code, this volume, page 1508.

§ 8329, 1932 CODE—railroads interchange freights

See §§ 8326 and 8329, 1932 Code, this volume, page 1510.

§ 8337, 1932 CODE—connecting roads operate as one when operated by same company

No. 1. Rates Applicable to Roads Under One Management or Control.—All connecting railroads, doing business in this State, and under the management or control, by lease, ownership, association or otherwise, of one and the same person, firm, corporation or association, shall, for purposes of transportation, in applying freight and passenger tariffs, be considered as constituting but one and the same road, and the rate shall be computed as upon parts of one and the same road, unless otherwise specified by the Public Service Commission. (Filed, secretary state's office—June 30, 1937.)

§ 8375, 1932 CODE—accidents—notice to be given—penalty

See §§ 8275 and 8375, 1932 Code, this volume, page 1500.

§ 8395, 1932 CODE—accommodation for passengers—penalty

See also §§ 8395 and 8428, 1932 Code, this volume, page 1511.

No. 1. Heating, Lighting, etc., of Coaches.—On all passenger trains, or trains carrying passengers in this State, the railroad companies shall furnish safe and adequate heating appliances and lights, and shall keep the passenger coaches clean, sufficiently warm, and properly ventilated for the comfort of passengers. All passenger coaches, including closets, after reaching their destination and before being put in service for further use, must be thoroughly cleaned and disinfected. (Filed, secretary state's office—June 30, 1937.)

No. 2. Stopping Passenger Trains at Stations.—All passenger trains operated in this State shall, at all stations where such trains stop, either upon flag or regular schedule, be brought to a standstill with such relation to the waiting-rooms of the station building, or other passenger facilities at said station, as will render egress from and ingress to said trains most practicable and convenient for the passengers, without reference to the convenient handling of baggage or other freight. (Filed, secretary state's office—June 30, 1937.)

§ 8395, 1932 CODE—accommodation for passengers—penalty

§ 8428, 1932 CODE—attachment of cars and engines precluded under certain conditions

No. 1. Notice to be Posted.—All railroad companies, operating in South Carolina as common carriers, shall be required to have printed in large type and kept posted in a conspicuous place in each waiting room at their depots in South Carolina, the following notice:

NOTICE

"All railroad companies are required, under the laws of South Carolina and the rules of the Public Service Commission, to bulletin trains when late, to furnish good, wholesome drinking water to passengers, to keep waiting rooms and passenger coaches clean, well lighted, properly ventilated, and comfortably heated when necessary."

"The Public Service Commission of South Carolina would appreciate the prompt reporting to its office at Columbia, S. C., of the failure of any company or its agents to comply with these requirements." (Filed, secretary state's office—June 30, 1937.)

§ 8405, 1932 CODE—public service commissioners regulate schedule of passenger trains—hearing and appeal

No. 1. Handling Freight Cars on First Class Passenger Trains.—No railroad operating trains in South Carolina shall be allowed to handle any freight cars, loaded or empty, on a train that is operated as a first class passenger train, or shown as such in the published time tables of any railroad **except by written permission of the Public Service Commission.** (Filed, secretary state's office—June 30, 1937.)

No. 2. Grain-Cleaning in Transit.—The rate on all movement of grains in South Carolina where grain in transit is stopped at intermediate points for cleaning and grading purposes shall be the present through rate from point of origin to destination, plus 20 per cent for each and every intermediate stop where cleaning and grading is to be done.

Shrinkage on all reshipments from cleaning points will be allowed.

The above rate is intended for an emergency rate.

Grain delivered at local markets for cleaning purposes cannot be substituted for grain in transit which is held at that point for cleaning. (Filed, secretary state's office—June 30, 1937.)

§ 8410, 1932 CODE—check baggage—penalty for refusal

No. 1. Handling Baggage.—All railroad companies shall provide such means or appliances as may be necessary to secure the careful handling of and prevent injury to baggage. At all stations where no proper appliances are supplied, the baggagemaster shall have such assistance from the train hands or others as may be necessary to handle all baggage

without injury to same. That at all junctional points and all towns of over 500 inhabitants, sufficient trucks be furnished to both load and unload baggage. (Filed, secretary state's office—June 30, 1937.)

§ 8413, 1932 CODE—keep rooms for passengers

No. 1. Opening Waiting Rooms.—At junction points, railroad companies shall be required to open their depot waiting rooms for the accommodation of the traveling public at least thirty minutes before the schedule time for the arrival of all passenger trains, or trains carrying passengers.

At local, or non-junction points, all such waiting rooms shall likewise be opened: **Provided**, That the same shall not be required to be opened, nor kept open, after 10 o'clock p. m., except for delayed trains due before that hour, in which case such rooms shall be kept open until the actual arrival of such delayed trains. (Filed, secretary state's office—June 30, 1937.)

No. 2. Waiting Rooms.—A separate room for white and colored passengers, sufficient for their comfort and convenience, shall be provided at all stations where passenger tickets are offered for sale, and these waiting rooms shall be furnished with adequate lights, and, when the inclemency of the weather requires, with fire, and at all times kept clean and made comfortable for passengers.

A substantial water cooler must be in each waiting room with drinking vessel conveniently placed. The said cooler to be supplied with wholesome water at all hours to meet the requirements of passengers. There shall be connected with each of these waiting rooms whenever practicable, except at flag stations on the railroad lines where there is no regularly kept passenger station, two separate and distinct water closets, one for female passengers and one for male passengers, and said closets shall be kept in fit and suitable condition for use and convenience of said passengers. Such closets will be considered as connected with the waiting rooms if the walks thereto are walled up on each side and open into or near the waiting rooms so as to afford a reasonable privacy to passengers. (Filed, secretary state's office—June 30, 1937.)

§ 8415, 1932 CODE—public service commissioners may require railroads to erect depots

No. 1. Erecting Depots.—All railroads in this State are required to erect within the time specified by the Commission union or other depots at such points as the travel and public interest shall in the judgment of the Commission justify. (Filed, secretary state's office—June 30, 1937.)

§ 8417, 1932 CODE—proceedings as to late trains

No. 1. Notice as to Delayed Trains.—Whenever any passenger train or train carrying passengers on any railroad in this State shall be more than one-half of an hour behind its schedule time, it shall be the duty

of said railroad company to bulletin, and keep posted at every telegraph station along its line, in the direction in which said train is going, the time such train is behind its schedule time, and the time of its arrival, as near as can be ascertained.

Each bulletin board upon which the foregoing information is to be posted shall contain the regular schedule of the arrival and departure of all trains carrying passengers.

All notices as to trains behind schedule time shall be erased from the bulletin immediately after the departure of such trains.

Such bulletin shall be changed every quarter-hour until delayed train arrives. (Filed, secretary state's office—June 30, 1937.)

No. 2. Notice as to Obstructed Trains.—Whenever there is, by reason of accident or otherwise, a break or obstruction on any railroad in this State, which will delay any passenger train on said road, it shall be the duty of said road to have the same bulletined at all stations at and between the said passenger train and the place so obstructed, and the conductor shall give notice of said obstruction to the passengers in the cars, before leaving the station, and the delay that will probably be caused by the same. (Filed secretary state's office—June 30, 1937.)

§ 8418, 1932 CODE—publish change of time table

No. 1. Notice of Change in Schedules.—Notice of any change in the schedule time of passenger trains, or trains carrying passengers, must be posted conspicuously at each of the stations along the line of the road, and notice to the Commission be given in writing at least eight days before the change is to take effect; said notice to also be published in two issues of newspapers at least eight days before the change is made: **Provided**, Freight trains carrying passengers and running between local stations may be excepted from this rule by proper showing before this Commission when said train is not advertised in published schedules as carrying passengers. (Filed, secretary state's office—June 30, 1937.)

No. 2. Time Tables.—All railroads in South Carolina shall furnish the Public Service Commission complete time tables covering schedules of all regular trains carrying passengers over their respective roads; and shall furnish new time tables or schedules, whenever changes are made, as soon as such schedules are received from the printer. (Filed, secretary state's office—June 30, 1937.)

§ 8428, 1932 CODE—attachment of cars and engines precluded under certain conditions

See §§ 8395 and 8428, 1932 Code, this volume, page 1511.

Act 389, 1933 ACTS, page 541—an act to establish the license year for motor vehicles; to require the payment of licenses and fees and to provide penalties for violation.

REFUND REGULATIONS

Motor vehicle license refunds are hereby authorized to be made, in accordance with the following:

Section 1: Where the motor vehicle division has collected as a license registration fee any amount in excess of the correct fee as prescribed by law, said division is hereby authorized to make refund to the owner of the motor vehicle in whose name said vehicle is duly registered, if the said owner is the original payor of the excess fee, to the extent of such excess payment: **provided**, that proper claim for such refund is duly made to the motor vehicle division at its office at Columbia, S. C., at any time during the then current license year for which said license was issued.

Section 2: Within ninety (90) days after any motor vehicle has been duly registered upon proper application for a refund and submission of evidence satisfactory to the motor vehicle division, that the motor vehicle has not been operated in the state of South Carolina, or elsewhere as a vehicle registered under the laws of this state, at any time since the beginning of the said registration period, together with the return of the license plates to the motor vehicle division unused and intact in their original cover, the motor vehicle division is hereby authorized to make a refund to the registrant of the full amount of the registration fee proper.

Section 3: Where a motor vehicle has been registered for any portion of the then current license year and the full fees due as provided by law for such period has been paid, and a claim for a refund is made to the motor vehicle division on account of the destruction of the registered motor vehicle within ninety (90) days from the date of said destruction, which claim is accompanied by proof satisfactory to the motor vehicle division that the said vehicle has been destroyed by fire, wreck, or otherwise, beyond repair and possibility of future operation, the motor vehicle division is hereby authorized to make a refund of a portion of the registration fee on the following basis and also subject to the following restrictions:

(a) On all such vehicles registered prior to February 1st, and destroyed as hereinabove indicated prior to February 1st, of the current license year, an amount not to exceed three-fourths of the motor vehicle license fee paid as a full annual fee for the entire current license year, and/or one-half of the semi-annual fee for the first half of the license year.

(b) On all such vehicles registered subsequent to January 31st, and prior to May 1st, and destroyed as hereinabove indicated prior to May 1st, of the then current license year, an amount not to exceed one-half of a full year's annual fee as prescribed for a vehicle of said classification, and/or no part of a semi-annual fee paid for the first half of the license year for a vehicle of such classification.

(c) On all such vehicles registered subsequent to April 30th, and prior to August 1st, and destroyed as hereinabove indicated prior to August 1st of the then current license year, an amount not to exceed one-fourth of a full year's annual fee provided for a vehicle of said classification, and/or one-half of a full semi-annual fee prescribed for a vehicle of said classification for one-half year license period.

In the determination of the amounts due as refunds hereinabove authorized, the fees or parts of same to be refunded shall be the motor vehicle registration fees only, and under no condition will any part of the fees paid or collected in pursuance of the requirements of Chapter 128, or amendments thereto, of the 1932 Code for the highway safety fund or additional fees in lieu thereof, or for postage fees or penalties provided for by law, be refunded. Neither shall fees on school busses owned by school districts on which a fee of one (\$1.00) dollar for registration is collected, nor vehicles owned by municipalities, counties or other subdivisions of the state or federal government and any other motor vehicles licensed as gratis licenses, be included in the provisions herein providing for refunds, nor shall any refund as to them be allowed hereunder.

Rules and regulations heretofore promulgated under date of December 8th, 1933, covering this subject matter are hereby revoked and superseded.

These regulations shall become effective on and after the 15th day of October, 1934. (Filed, secretary state's office—April 20, 1937.)

Act 610, 1936 ACTS, page 1231—an act to provide a system of workmen's compensation in the state of South Carolina, and to further provide for securing the payment of such compensation.

1. The commission has prepared and will furnish copies of all proper forms required by the provisions of the South Carolina Workmen's Compensation Act, and such forms must be used in all cases where they are appropriate. For purposes of convenience insurance carriers and self-insurers will be permitted to place their names and business above the other matter prescribed by the commission on such forms as they may prepare for their convenient use. (Filed, secretary state's office—April 21, 1937.)

2. The office of the industrial commission is in the city of Columbia. The office will be open continuously from 9:00 A. M. to 5:00 P. M. daily except Saturday, which will be from 9:00 A. M. to 1:00 P. M., Sundays and legal holidays excepted. The commission shall remain in continuous session, but in addition to such continuous session the commission shall meet as a body at the call of the chairman for the purpose of transacting such business as may come before it. (Filed, secretary's state's office—April 21, 1937.)

3. Every employer within the operations of this Act shall file with the industrial commission proof of his compliance with the insurance provisions of the Act. "A notice from the insurer, through the National Council Compensation Rating Bureau, pending perfection of the South

Carolina Compensation Rating Bureau, certifying this fact will be received as acceptable proof." (Filed, secretary state's office—April 21, 1937.)

4. Any insurance carrier having issued a policy to an employer and desiring to cancel same shall be required to give ten days' prior notice thereof to the industrial commission at its office in the city of Columbia. Cancellation of policies shall give cause and be reported promptly to the commission. (Filed, secretary state's office—April 21, 1937.)

† 5. Any employer desiring to carry his own risk under the provisions of Section 67 of the Act shall make application therefor on the form prescribed by the commission and shall be required to reply as fully as practicable to all inquiries made thereon. This information so conveyed will be treated with strict confidence. In every case where an application is favorably considered, the industrial commission will then decide the amount of acceptable securities which will be required or indemnity bond with corporate security. If an indemnity bond is decided upon the amount will not be less than \$10,000.00. Each case will be considered upon its merits and with strict regard to the hazards involved. No record of any information concerning the solvency and financial ability of any employer acquired by a commissioner or his agent by virtue of such powers conferred the commission under the South Carolina Workmen's Compensation Act shall be subject to inspection, nor shall any information in any way acquired for such purpose by virtue of such powers be divulged by a commissioner or his agent, unless by order of the court. "So long as said employer shall continue solvent and promptly pays any and all compensation legally due from him in accordance with the provisions of the Act and agrees that there will be paid to the South Carolina Industrial Commission a premium of 2½%—computed upon the same basis as applicable to the 2½% tax paid by insurance carriers, and continues to do so, there shall be no effort to collect under the bond." Permission for self-insurance by municipalities and political sub-divisions will be granted under application therefor without submission of proof of financial ability and without deposit of bond or other security. Assurance must be given the commission, however, that provisions will be made for the payment of all awards for compensation, medical fees, and burial expenses, as provided by law. (Filed, secretary state's office—April 21, 1937.)

6. When within a given year an employer not embraced in the Act has, with his employees, elected to come within the provisions of the Act and has filed notice of such agreement, signed by himself and his employees with the South Carolina Industrial Commission, and has otherwise complied with the provisions of the Act, such employer and the employees who have so elected with him, shall, until notice to the contrary is filed with the Industrial Commission, continue under the Act without an additional election.

Nothing contained in the foregoing rule shall be construed as limiting or restricting the right of any employer or an employee to reject the provisions of the Act by giving proper notice thereof. (Filed, secretary state's office—April 21, 1937.)

† This rule repealed—see page 1520.

7. All employers operating under the South Carolina Workmen's Compensation Act, whether by operation of law or by election, shall post publicly and keep posted in their place of business, upon substantial card-board, the fact that the business is operated under the provisions of the South Carolina Workmen's Compensation Act.

This notice shall be substantially as follows:

We are operating under and subject to the Workmen's Compensation Act of South Carolina.

In case of accidental injury or death to an employee, the injured employee, or someone acting in his behalf, must give immediate notice to the employer, or general authorized agent.

Failure to give such immediate notice may be the cause of serious delay in the payment of compensation to the injured employee or his dependents, and may result in failure to receive any compensation benefits whatever under the law.

Claim must be filed with the industrial commission within one year from date of accident. (Filed, secretary state's office—April 21, 1937.)

Section 24 of Workmen's Compensation Act. Approved July 17th, 1935.

8. Every employer shall keep a record of all injuries, fatal or otherwise, received by his employees in the course of their employment and report to the industrial commission within ten days after the occurrence or the knowledge thereof all accidents requiring medical or surgical attention or causing an employee to be absent from his work. This report shall be made in writing on the forms prescribed by the industrial commission for that purpose. (Filed, secretary state's office—April 21, 1937.)

9. Agreements as to compensation between employer and employee are commended by the Act. Such agreement must be fairly made and in accordance with the provisions of the Act, and compromises of liability under the Act will not be approved. Memorandum of agreements shall be filed promptly with the commission for their approval or rejection. No such agreements shall be approved unless a physician's report has been filed on the case. (Filed, secretary state's office—April 21, 1937.)

† 10. The day of the injury shall be taken as the first day of incapacity, regardless of the hour of injury, and, therefore, the seven-day waiting period shall include the day of the injury. If the injured person completes his work on the day of the injury, but is unable to return to work the following day, the day of injury shall still be considered the first day of incapacity, and, therefore, the first day of the waiting period. If the employee returns to work the day following the injury, or upon a subsequent day, the first day of incapacity shall be the first working day that the employee is unable to complete a full day's work. In that event the waiting period shall begin on the morning of that day. The day or days lost because of inability to work on account of the injury shall be counted in the waiting period, even though the days may not be consecutive. For fractional parts of weeks the daily wage shall be one-seventh of his weekly wage, in all cases. (Filed, secretary state's office—April 21, 1937.)

† This rule repealed—see page 1520.

11. All compensation due an injured employee or compensation awarded on account of death under the South Carolina Workmen's Compensation Act must be paid direct to the employee, dependents, guardian, or personal representative. All drafts for compensation must be made out and mailed or delivered direct to the employee, dependents or guardian. Compensation payments must be made promptly and in strict accordance with the awards issued by the commission. All compensation must be paid weekly unless otherwise ordered by the commission. (Filed, secretary state's office—April 21, 1937.)

12. Compensation cannot be discontinued after an award has been made or an agreement between parties approved until the full award has been paid, except that in case the award is made during disability. Such disability is presumed to last until the employee returns to work, and in the event the insurance carrier or employer desires to stop payment of compensation, the insurance carrier or employer must file a request to discontinue the payments of compensation, setting forth reasons and serving notice upon employee. Upon such requests, supported by proper medical certificate, the commission will issue an order allowing the insurance carrier to stop compensation and will place the case upon the calendar for hearing, if necessary. Every approval of an agreement will be treated as an award. (Filed, secretary state's office—April 21, 1937.)

13. The commission may, of its own motion, order a hearing on a case in dispute. (Filed, secretary state's office—April 21, 1937.)

14. After date for hearing has been set and all parties have been notified, the hearing will not be postponed except on strictly legal grounds, or when postponement will not disrupt the schedule previously arranged. (Filed, secretary state's office—April 21, 1937.)

15. The amputation of any portion of the bone of the distal phalange of a finger or toe to a point opposite the base of the nail will be considered as equivalent to the loss of one-fourth ($\frac{1}{4}$) of such finger or toe. Amputation below the base of the nail of the bone in the distal phalange will be considered as equivalent to loss of one-half ($\frac{1}{2}$) of such finger or toe. (Filed, secretary state's office—April 21, 1937.)

16. When, in the discretion of the commission, additional evidence is necessary for the completion of the record in a case on review, the full commission will, in its discretion, order the taking of such evidence before one commissioner. When either the employer or employee seeks to introduce new evidence at a review, application must be made for the introduction of new evidence; such application must be in writing and filed with the commission and a copy with accompanying affidavits furnished the opposite side, and it must be shown that the new evidence is of such a character as would follow the common law governing the admission of newly discovered evidence in the application for a new trial. The evidence sought to be introduced must not be evidence of cumulative or impeaching character, but must be of such a character as likely would have produced a different result had the evidence been procurable at the first hearing. It must be shown that the evidence was not known to the

party who desires to introduce same at the time of the hearing before the commissioner, and that by reasonable diligence this new evidence could not have been secured, and that the discovery, of such new evidence, was brought to the attention of the commission immediately after its discovery. In other words, the law of South Carolina as to the nature and character of evidence required for the granting of new trials, will be applied by the South Carolina Industrial Commission before new evidence can be introduced in a review by the full commission. No oral arguments will be heard by the commission on such application, and the commission will act upon such application prior to hearing on appeal. (Filed, secretary state's office—April 21, 1937.)

17. The commission, for the purpose of arriving at the commuted value of future payments in approving lump sum settlements, will designate the discount table to be used. (Filed, secretary state's office—April 21, 1937.)

† 18. In all cases where liability for compensation is denied the defendants must set out in letter details of grounds on which liability is denied. In all cases where an appeal is made to the full commission, the grounds for appeal must be set out fully in detail on commission's Form No., which is provided for this purpose and can be obtained from the commission. (Filed secretary state's office—April 21, 1937.)

19. Employers and carriers desiring to save possible liability for payment of compensation as for temporary total disability in hernia cases where liability is denied and the claimant will be disabled pending a hearing, a truss may be fitted and cost of same charged as medical expense without this being construed as an admission of liability. (Filed, secretary state's office—April 21, 1937.)

20. On appeal cases, to the full commission, only licensed attorneys in South Carolina shall be allowed to practice before the South Carolina Industrial Commission. (Filed, secretary state's office—April 21, 1937.)

21. The rules of the commission are subject to amendment at any time, and the commission will adopt additional rules whenever, in its judgment, the same are advisable. (Filed, secretary state's office—April 21, 1937.)

22. Envelope containing application for review, Form No. 30, must bear post mark date of the sending Postoffice, within fourteen (14) days, from and exclusive of the date official award was received.

B. It is a requisite that Form No. 30, application for review, must be used by being properly executed and forwarded to the commission as above instructed, if case is to be reviewed. (Filed, secretary state's office—April 21, 1937.)

23. A standing hearing cost of \$7.50 be charged on all single commissioner hearings; charges for any additional costs such as registered letters, subpoenas, or testimony separately from the \$7.50. (Filed, secretary state's office—April 21, 1937.)

24. The minimum rate for board and lodging shall be \$1.00 per day for board, and \$2.00 per week for lodging, subject to proration. (Filed, secretary state's office—April 21, 1937.)

† This rule repealed—see page 1520.

Rules and Regulations numbers 5, 10 and 18 of the Rules and Regulations of the South Carolina Industrial Commission were changed by the said Commission to read as hereinafter stated:

5. Any employer desiring to carry his own risk under the provisions of Section 67 of the Act shall make application therefor on the form prescribed by the Commission and shall be required to reply as fully as practicable to all inquiries made thereon. This information so conveyed will be treated with strict confidence. In every case where an application is favorably considered, the Industrial Commission will then decide the amount of acceptable securities which will be required or indemnity bond with corporate security. If an indemnity bond is decided upon the amount will not be less than \$10,000.00. Each case will be considered upon its merits and with strict regard to the hazards involved. No record of any information concerning the solvency and financial ability of any employer acquired by a Commissioner or his agent by virtue of such powers conferred the Commission under the South Carolina Workmen's Compensation Act shall be subject to inspection, nor shall any information in any way acquired for such purpose by virtue of such powers be divulged by a Commissioner or his agent, unless by order of the court. "So long as said employer shall continue solvent and promptly pays any and all compensation legally due from him in accordance with the provisions of the Act and agrees that there will be paid to the South Carolina Industrial Commission a premium of $4\frac{1}{2}\%$ —computed upon the same basis as applicable to the $4\frac{1}{2}\%$ tax paid by insurance carriers, and continues to do so, there shall be no effort to collect under the bond." Permission for self-insurance by municipalities and political sub-divisions will be granted under application therefor without submission of proof of financial ability and without deposit of bond or other security. Assurance must be given the Commission, however, that provisions will be made for the payment of all awards for compensation, medical fees, and burial expenses, as provided by law. (Filed, secretary state's office—August 30, 1937.)

10. The day of the injury shall be taken as the first day of incapacity, regardless of the hour of injury, and, therefore, the three-day waiting period shall include the day of the injury. If the injured person completes his work on the day of the injury, but is unable to return to work the following day, the day of injury shall still be considered the first day of incapacity, and, therefore, the first day of the waiting period. If the employee returns to work the day following the injury, or upon a subsequent day, the first day of incapacity shall be the first working day that the employee is unable to complete a full day's work. In that event the waiting period shall begin on the morning of that day. The day or days lost because of inability to work on account of the injury shall be counted in the waiting period, even though the days may not be consecutive. For fractional parts of weeks the daily wage shall be one-seventh of his weekly wage, in all cases. (Filed, secretary state's office—August 30, 1937.)

18. In all cases where liability for compensation is denied the defendants must set out in letter details of grounds on which liability is denied. In all cases where an appeal is made to the full Commission, the grounds for appeal must be set out fully in detail on Commission's form No. 30,

which is provided for this purpose and can be obtained from the Commission. (Filed, secretary state's office—August 30, 1937.)

Rules and Regulations 5, 10 and 18 as filed in the Secretary of State's office April 21, 1937, were repealed by the above stated Rules 5, 10 and 18.

Act 802, 1936 ACTS, page 1484—an act to create and establish a state board of bank control, and to vest the same with the power of supervision over banks, banking institutions, building and loan associations, cash depositories, and all institutions doing any kind of banking or building and loan business, including the promulgation of rules, regulations and instructions for the direction, control and protection of all such institutions, the conservation of their assets, and the liquidation thereof, and to provide penalties for the violation of the provisions of this act or of such rules and regulations.

No. 1. The following regulation is promulgated as to limitations and restrictions on the purchase and sale of investment securities for the bank's own account, supplemental to the specific limitations and restrictions of existing statutes:

(1). Except as hereinafter provided or otherwise permitted by law no bank or banking institution shall purchase for its own account any shares of stock in any corporation.

(2). The purchase of securities which are in default, either as to principal or interest, is prohibited.

(3). Purchase of an "investment security" at a price exceeding par is prohibited, unless the bank shall:

(a) Provide for the regular amortization of the premium paid, so that the premium shall be entirely extinguished at or before the maturity of the security and the security (including premium) shall at no intervening date be carried at an amount in excess of that at which the obligor may legally redeem such security; or

(b) Set up a reserve account in order to amortize the premium, said account to be credited periodically with an amount not less than the amount required for amortization under (a) above, or

(c) Charge such premium to undivided profits account or reserve account of said bank at the time of purchase.

(4). Purchase of securities convertible into stock at the option of the issuer is prohibited.

(5). Any purchase of securities under repurchase agreement is deemed to be a "loan" and is to be so treated and classified and is hereby made subject to all laws, rules and regulations governing loans and specifically as to Section 7869 of the Code of 1932.

(6). Any sale of securities under repurchase agreement is deemed to be "money borrowed" and is to be so treated and classified.

EXCEPTION

The restrictions and limitations of these regulations do not apply to securities acquired through foreclosure on collateral, or acquired in good faith by way of compromise of a doubtful claim or to avert an apprehended

loss in connection with a debt previously contracted. (Filed, secretary state's office—April 22, 1937.)

No. 2. The following regulation is promulgated as to limitations and restrictions on the payment of dividends to stockholders supplemental to the specific limitations and restrictions of existing statutes:

"Any State bank operating under the supervision of the State Board of Bank Control contemplating the payment of a dividend shall first certify to the Chief Bank Examiner that the proposed dividend has been earned during the period for which it is proposed to be paid, and second shall secure the approval in writing of the Board of Bank Control before paying the same." (Filed, secretary state's office—April 22, 1937.)

No. 3. The following rule and regulation is promulgated as to investment of surplus, whether earned or paid-in, and undivided profits of cash depositories:

Any cash depository may invest or loan only its surplus, whether earned or paid-in, and undivided profits in any such loans and any such investments as are permitted by existing statutes for duly chartered State banks, and in making any such loans or investments shall be subject to the same rules, regulations, and statutes as apply to loans and investments by such banks. (Filed, secretary state's office—April 22, 1937.)

No. 4. The following regulation is promulgated as to limitations and restrictions on the borrowing of money by building and loan associations operating under the authority and control of said State Board of Bank control:

"No State chartered building and loan association in South Carolina shall borrow money without first securing approval in writing of the State Board of Bank Control." (Filed, secretary state's office—April 22, 1937.)

No. 5. The following rule and regulation requiring approval of security purchases by the respective Boards of Directors of banks, banking institutions and cash depositories is hereby promulgated:

"Any bank, banking institution or cash depository operating under the supervision and control of the State Board of Bank Control contemplating the purchase of securities shall either (a) first secure the approval and authorization of its Boards of Directors for such purchase or (b) the purchase of such securities shall be approved and confirmed by the Board of Directors of the institution within 30 days after purchase; such authorization or confirmation to be noted in the minutes of the meeting and signed by the directors present." (Filed, secretary state's office—April 22, 1937.)

No. 6. The following rule and regulation is promulgated as to the manner of handling and filing insurance (burglary, robbery, etc.), and fidelity bond protection of cash depositories:

All insurance (burglary, robbery, etc.), and fidelity bond policies now held by cash depositories, except fire insurance policies which are specifically exempted from the provisions of this rule and regulation, together with all additions to or renewals of same, shall be filed with the Examining Department of the State Board of Bank Control, and the Chief Bank Examiner is authorized and directed to execute and issue to each cash depository proper receipts therefor. (Filed, secretary state's office—May 18, 1937.)

Act 829, 1936 Acts, page 1549

(§ 5290-1, 1936 Supplement)

An Act to provide for the supplying of textbooks on a rental system to the school children of South Carolina; to establish methods of distribution, care and use of said books; to provide school books for said rental system, and establish the state school book commission and prescribe its duties and powers.

REGULATIONS OF THE STATE SCHOOL BOOK COMMISSION FOR THE RENTAL OF TEXTBOOKS

Article I—Responsibilities

Section 1. **Adopted Books.**—The State Board of Education has prescribed the uniform course of study, adopted the basal and supplementary textbooks, and signed contracts with publishers for the use of these books. Therefore, the prescribed basal and supplementary textbooks shall be used as prescribed by the said course of study for the rental system established by the South Carolina rental textbook law of the General Assembly of South Carolina. (Filed, secretary state's office—April 21, 1937.)

Section 2. **Property of the State.**—Books under the rental system shall become the property of the State when issued to children and/or teachers and/or marked as the property of the State by an authorized depository or agent. (Filed, secretary state's office—April 21, 1937.)

Section 3. **Custodians.**—The school trustees of each district are designated under the law as the legal custodians of the books. As legal agents of their respective districts, the Trustees acting for the district are accountable for and responsible to the State for the value of all books issued to their districts by authorized agents. (Filed, secretary state's office—April 21, 1937.)

Article II—Care of Books

Section 1. **Parties authorized.**—The trustees (Article I, Section 3) are responsible for the care of books. They shall appoint, require, and use as agents in the discharge of this responsibility superintendents, principals, teachers, and such other agents as they or the State School Book Commission may authorize. (Filed, secretary state's office—April 21, 1937.)

Section 2. **Inspection.**—Textbooks shall be subject to inspection by inspectors or agents authorized by those having charge of the local textbook service, county service, and/or authorized by the State School Book Commission. It shall be the duty of the teachers to inspect and make a check of the books frequently to see that proper care has been taken of them. (Filed, secretary state's office—April 21, 1937.)

Section 3. **Reports.**—The trustees or their agent(s) shall give the director of the State School Book Commission inventory reports as to the condition of books in the hands of the district at the middle of the school year and at the end of the school year or as often as the director may require. All other agents charged with the care of books shall give reports

as required or requested by the authorities under which they work. Districts and counties shall receive reports from their agents as required or requested. (Filed, secretary state's office—April 21, 1937.)

Section 4. **Races' books separate.**—In the handling of school books, it is mandatory that the books used by the different races be kept separate.

Section 5. **Covering.**—All rental books must be covered by the pupils under the direction of the teacher. Old covers must be removed from books at the end of the school year and new covers placed on them before or at the beginning of the next school year. (Filed, secretary state's office—April 21, 1937.)

Section 6. **Stamping.**—Books shall not be stamped until rented to teachers and/or pupils. All paper bound books shall not be marked as the property of the State. When books are issued to pupils and/or teachers (Article III, Sections 6 and 7), they shall be stamped on the back binding and on page 30 with stamps provided by the State School Book Commission. On the back binding stamp spaces shall be provided for the numbers of books and dates for several years. (Filed, secretary state's office—April 21, 1937.)

Section 7. **Identification.**—The names of the students and/or teachers and the names of schools shall be written on the covers of books. If desired, schools may also number books in the spaces provided on the stamp mentioned in Section 6 above. In lieu of numbering, other suitable means of identification may be used. (Filed, secretary state's office—April 21, 1937.)

Section 8. **Marking.**—Students shall not mark books, paste labels in them, or in any way force the bindings. Article III, Section 10, provides penalties for any loss, abuse, and/or damage beyond normal wear and tear. (Filed, secretary state's office—April 21, 1937.)

Section 9. **Home study.**—Each board of trustees shall have the authority to make rules with regard to the use of books for home study. This authority may be delegated to superintendents, principals, supervisors, and teachers. (Filed, secretary state's office—April 21, 1937.)

Section 10. **Storage.**—Under the law, school trustees, must provide secure place(s) of storage for books for such time as they are not rented to pupils. Separate storage shall be provided for the books of different races. In small schools, locked cases of either steel or wood shall be provided. The space used for storage must have good doors and secure locks, be clean, dry, well arranged, and rat proof. In lieu of the above part of this section, trustees may return books to rental depositories designated by the county superintendent, where they shall be properly receipted. **Care must be taken to see that books in storage do not mold.** (Filed, secretary state's office—April 21, 1937.)

Section 11. **Epidemic.**—All books used by pupils who have been exposed to contagious diseases may be disinfected; however, this need not be done except upon the advice of the county health officer or a regular physician. (See Article IV, Sections 4 and 5.) (Filed, secretary state's office—April 21, 1937.)

Article III—Distribution

Section 1. Depositories.—The State Board of Education has approved the publishers' central textbook depository in South Carolina located at Columbia. The State School Book Commission will use this central depository. Each county operating under the South Carolina rental textbook law may set up a county rental depository in addition to or in lieu of rental depositories set up in the various school districts. The County Board of Education with the approval of the State School Book Commission shall determine the county policy. Where a county rental depository is operated, it shall be responsible to the State School Book Commission for books issued to it by legally designated agents and for rentals on books which it issues to schools and local rental depositories. The county rental depository must be under the supervision of the County Superintendent of Education. (Filed, secretary state's office—April 21, 1937.)

Section 2. Quotas.—The number of copies of a text requisitioned should not exceed the difference between the total enrollment in the grade or grades to which the book is assigned and the number of usable copies of the book on hand. The total enrollment for any grade is the sum of the maximum number of pupils enrolled and the number of teachers for the grade plus five per cent (5%). (For the school year 1936-37, this special provision shall obtain: An estimated 25% of the enrollment's requirements for texts may be requisitioned before the opening of school, and the regular procedure shall be followed for any additional supply of books.) (Filed, secretary state's office—April 21, 1937.)

Section 3. Requisitions.—All requisitions for books for each session should be made in quadruplicate copies near the close of the preceding session. The four copies shall be submitted for approval to the county superintendent. After approval, the local rental depository shall receive one copy; two copies shall be sent to the director of the State School Book Commission; and one copy shall be retained by the county superintendent. These requisitions must conform to all the instructions contained on the blank forms and must give the total number of usable and worn-out copies on hand by actual count of each of the books listed on the blank. Records covering the disposal of books of former issue must be on file with the director of the State School Book Commission before additional new books can be requisitioned to replace them (Article IV, Section 3). (Filed, secretary state's office—April 21, 1937.)

Section 4. Invoices.—Invoices from the central textbook depository shall be made in quintuplicate. One copy shall be retained by the central depository. Four copies shall be sent to the consignee or agent. These four copies of the invoice shall be checked with shipment, overages and/or shortages noted on each copy, dated, signed to show receipt, one copy retained, and three copies mailed in the following manner: one copy shall be sent to the county superintendent; one copy shall be sent to the director of the State School Book Commission; and one copy shall be sent to the central depository at Columbia. Invoices for the issue of books by county rental depositories to school districts shall be made in duplicate.

One copy shall be retained by the county rental depository and one copy given to the district. (Filed, secretary state's office—April 21, 1937.)

Section 5. **Remittances.**—Remittances to the State School Book Commission for rented, lost, or damaged books must be made one week after the opening of school and every thirty days thereafter by cashier's check, certified check, money order, county treasurer's check (not voucher), or school district checks, as the State treasurer cannot accept personal checks. (Filed, secretary state's office—April 21, 1937.)

Section 6. **Issue to teachers.**—Duplicate records of books issued to teachers for distribution shall be made by issuing agents for school districts. One copy shall be retained by the issuing agent, and the other copy shall be given to the teacher. (Filed, secretary state's office—April 21, 1937.)

Section 7. **Issue to pupils.**—A card record shall be made of books issued to a pupil. This card shall be signed by the pupil's parent or guardian to show receipt. It shall remain in the custody of the teacher until all the books are returned or paid for (Section 10). It shall then be signed by the teacher to show receipt of all the books listed and returned or paid for (Section 10). The card shall then be delivered to the pupil. (Refer to Section 9 for regulations about return of books.) Pupils who have previously been enrolled in the public schools of this State must not be granted rental textbooks save on the presentation of a receipted book card or transfer card. (Filed, secretary state's office—April 21, 1937.)

Section 8. **Surpluses.**—No local rental depository shall keep on hand a surplus stock of new unrented books over and above their actual requirements. Local rental depositories and county rental depositories shall make reports on new unrented books as required by central depository. Within thirty days after the opening of school, the surplus stock of new unrented books less 5% as a reserve must be returned or turned in to the county rental depository, if there is one, or to the central depository in Columbia. All used unrented books shall be returned to the county rental depository, if there is one, or reported to the county superintendent and held subject to his order. All records for re-issue shall be the same as for original issue. But, quadruplicate receipts shall be issued upon return of books by a depository. One copy shall be given to the depository returning the books; one copy shall be retained by the county superintendent or the county rental depository; one copy shall go to the director of the State School Book Commission; and one copy shall go to the central depository; provided, the last copy may be omitted if the books have become the property of the State (Article I, Section 2.) (Filed, secretary state's office—April 21, 1937.)

Section 9. **Return of books.**—Books must be returned to the teacher at the close of the session, or when the pupil withdraws from school. Receipt shall be given, as provided in Section 7. The teacher shall return the books to the school's storage. A duplicate receipt shall be issued. One copy shall be given to the teacher, and one copy shall be retained by the storage. (Filed, secretary state's office—April 21, 1937.)

Section 10. **Penalties.**—Parents and/or guardians shall pay for books lost, abused, and/or damaged in any way beyond reasonable wear and tear, and the pupil and parent(s) and/or guardian(s) shall be denied the benefits of the South Carolina rental textbook law until this requirement is fully complied with. It is unlawful for any person to have in his or her possession any book belonging to the State of South Carolina and not properly rented. Such an offense is subject to criminal prosecution. No loss, damage, or abuse of books by pupils shall be charged against or deducted from teachers' salaries. (Filed, secretary state's office—April 21, 1937.)

Section 11. **Deposits on books.**—A trustee, superintendent, principal, teacher, or authorized agent of the board of trustees cannot require pupils to make a money deposit in excess of rental fees to secure the return of books. (Filed, secretary state's office—April 21, 1937.)

Section 12. **Purchasing books.**—Rental books may be purchased by patrons and/or pupils at the contract retail price at depositories established by the central depository (not county or local rental depositories). (Filed, secretary state's office—April 21, 1937.)

Article IV—Disposition

Section 1. **Disposition of textbooks.**—The State School Book Commission may provided for the disposition of such textbooks as are no longer in a fit condition to be used for purposes of instruction, or for discarding books remaining the property of the State. (Filed, secretary state's office—April 21, 1937.)

Section 2. **Permission and authority.**—The State School Book Commission may permit the destruction of certain State-owned textbooks, and the Commission shall be the final authority to determine when a book is no longer in condition for use. (Filed, secretary state's office—April 21, 1937.)

Section 3. **Records of disposed books.**—Before books may be disposed of, triplicate lists (Form) of the books to be destroyed must be sent to the office of the director of the State School Book Commission. In case of approval, the director shall retain a copy; one copy shall go to the county superintendent; and one copy to the local depository. An approved copy of the list of books to be destroyed must be in the hands of the local rental depository before books may be destroyed. (Filed, secretary state's office—April 21, 1937.)

Section 4. **Classes of books destroyed.**—Only the following three classes of books may be destroyed:

(a) Books used by children with contagious diseases: (Article II, Section 2.)

(b) Worn-out, out-of-adoption books not of exchange value.

(c) Worn-out current adoption books in other than white schools. (Filed, secretary state's office—April 21, 1937.)

Section 5. **Books handled by children with contagious disease.**—(See also Article II, Section 2.) Books handled by children suffering from contagious diseases, such as scarlet fever and diphtheria, should be destroyed only on written order of the local health officer. A copy of his order together with triplicate lists of Form should be sent to the director of the State School Book Commission. He shall retain one copy, and send one copy to the county superintendent, and one copy on to the local rental depository. If contaminated or infected books are to be destroyed, written authorization must be given by the director of the State School Book Commission. (Filed, secretary state's office—April 21, 1937.)

Section 6. **Method of destruction.**—When books have been ordered destroyed by the proper authority and in the proper manner, they shall be burned. Those charged with the destruction shall see that the burning is complete. (Filed, secretary state's office—April 21, 1937.)

Section 7. **Imperfect books.**—Imperfect books should not be charged against the pupils, but the director of the State School Book Commission shall be notified of the names of such texts. Such books shall be sent to the central depository, properly marked as having given unsatisfactory service. The director shall be notified, and he shall make accounting for the loss by the same type of authorizations as for books to be destroyed. (Filed, secretary state's office—April 21, 1937.)

Article V—Miscellaneous

Section 1. **Complains.**—Complains in regard to the textbook service shall be made to the director of the State School Book Commission. (Filed, secretary state's office—April 21, 1937.)

Section 2. **Part of year.**—Books shall be returned at the end of the year or when the pupil withdraws from school (Article III, Section 9), but there shall be no refunds of rental fees. (It is the sentiment of the Commission that the making of books second-hand and the keeping of records cause the rental system losses which can only be repaid by forfeiture of rental fees.) (Filed, secretary state's office—April 21, 1937.)

Section 3. **Out-of-State transfer.**—In case a pupil moves out of the State during the first half of the school year, after the return of his or her books, he or she shall be refunded half the rentals paid. The refund shall be made by the director of the State School Book Commission. He shall require as evidence for this disbursement the pupil's receipted book card and a written authorization sent in directly by the county or local rental depository under which his school operates. If the pupil is in the second half-year of school when he moves, there shall be no refund. (Filed, secretary state's office—April 21, 1937.)

Section 4. **Issue of books upon a mid-year transfer.**—As provided in Article III, Section 9, when a student leaves school during a school year, he shall return his books. But, such a student shall be entitled to the issue of books at the school to which he may go later in the year to the extent of rentals paid (fractions disregarded). Should the rental fees of the

student's books at the new school exceed what he paid at the former school, he shall pay the difference. If the rentals at the new school are less, he shall not be entitled to a refund. (The Commission is making the provision of the last sentence to compensate for clerical losses.) (Filed, secretary state's office—April 21, 1937.)

Section 5. **Small books.**—Where books are bound in one-year and two-year copies, are available, and it is economical to do so, the one-year copies will be used under the rental system. (Filed, secretary state's office—April 21, 1937.)

Section 6. **Uniform book rate.**—All rental fees shall be based on a book rate instead of a flat pupil rate or flat grade rate. Uniform rentals as set up by the State School Book Commission shall be collected throughout the State. (Filed, secretary state's office—April 21, 1937.)

Section 7. **Part year use of books.**—Where a book is completed in the course of the school year, the yearly rental shall be charged. But, where the book is used a half-year according to the course of study and completed the following year, only half the regular rental shall be paid the first year. (Filed, secretary state's office—April 21, 1937.)

Section 8. **Standard books.**—Books shall conform to the standards specified by the State Board of Education upon adoption. After the expiration of the current adoption period, the State School Book Commission shall specify standards for books. (Filed, secretary state's office—April 21, 1937.)

Section 9. **Interpretation.**—The State School Book Commission shall interpret these regulations both as to the meanings of words and substance of thought, and shall make changes from time to time as conditions may warrant. (Filed, secretary state's office—April 21, 1937.)

Act 223, 1937 ACTS, page 339—an act regulate the practice of barbering in the State of South Carolina

Sanitary Rules Governing Barbers and Barber Shops and Barber Colleges in the State of South Carolina

1. **Inspection.** All barber shops, or any other place where barber service is rendered, shall be open for inspection at all times during business hours to any members of the Board of Barber Examiners, or its agents or assistants. (Filed, secretary state's office—August 25, 1937.)

2. **Proper Quarters.** No barber shop shall be used as a dormitory, sleeping or living quarters or for the preparation of meals. (Filed, secretary state's office—August 25, 1937.)

3. **Barber Shops.** Every barber shop, or any other place where barber service is rendered, shall be well-lighted, well-ventilated, and kept in a clean, orderly and sanitary condition. Cuspidors and paper jars must be kept clean and sanitary at all times. (Filed, secretary state's office—August 25, 1937.)

4. Fixture Conditions. Work stands or cabinets, towels and tools, and fixtures of all barber shops, or any other place where barber service is rendered, must be kept clean and sanitary at all times. (Filed, secretary state's office—August 25, 1937.)

5. Water. Running water, hot and cold, located at a convenient point within each barber shop, or any other place where barber service is rendered, shall be provided in cities or towns having water systems. (Filed, secretary state's office—August 25, 1937.)

6. Water Receptacles. Barber shops, or any other place where barber service is rendered, not located in cities or towns having water systems, shall supply hot and cold water in such quantities as may be necessary to conduct such place of business in a sanitary manner. Hot water receptacles to hold not less than five gallons and a sink or lavatory with drain pipe to drain waste water outside of the building, shall be provided. The dipping of shaving mugs, towels, etc., into water receptacles is prohibited. (Filed, secretary state's office—August 25, 1937.)

7. Styptic Pencil and Alum. No person serving as a barber shall, to stop the flow of blood, use alum or other material unless the same be used in liquid or powder form. The use of common styptic pencil or lump alum shall not be permitted for any purpose. (Filed, secretary state's office—August 25, 1937.)

8. Instruments. All equipment used in connection with serving a patron shall be maintained in a clean and sanitary manner. Instruments or appliances of any kind which come in contact with the body of a patron shall be, before each separate use, sterilized by immersing in a solution of 60 per cent. alcohol. (Filed, secretary state's office—August 25, 1937.)

9. Hair Brushes, Combs and Neck Dusters. Hair brushes, combs, and neck dusters shall be kept clean and sanitary at all times. (Filed, secretary state's office—August 25, 1937.)

10. Mugs and Brushes. All shaving cups and lather brushes must be kept clean and sanitary at all times. (Filed, secretary state's office—August 25, 1937.)

11. Headrest. The headrest of every barber chair shall be protected with fresh, clean paper or clean laundered towel before its use for any person. (Filed, secretary state's office—August 25, 1937.)

12. Towels. A clean, freshly laundered towel shall be used for each patron. This applies to every kind of towel—dry towel, steam towel, or washcloth. All towels that are used on a patron must be discarded until laundered. Used towels shall not be replaced in a sterilizer or rinsed or washed in the barber shop. All wet towels must be removed from the work stand or lavatory after serving each patron. (Filed, secretary state's office—August 25, 1937.)

13. Haircloths. Whenever a haircloth is used in cutting the hair, shampooing, etc., a newly laundered towel or paper neck strip shall be placed around the neck so as to prevent the haircloth from touching the skin. (Filed, secretary state's office—August 25, 1937.)

14. Baths and Toilets. Baths and toilets must be kept in a clean and sanitary manner at all times. (Filed, secretary state's office—August 25, 1937.)

15. Barber Hands. Every person serving as a barber shall thoroughly cleanse his or her hands immediately before serving each customer. (Filed, secretary state's office—August 25, 1937.)

16. Barber Appearance. Each person working as a barber shall be clean, both as to person and dress. (Filed, secretary state's office—August 25, 1937.)

17. Health Certificates. Each and every barber practicing the profession in South Carolina shall furnish the State Board of Barber Examiners a satisfactory health certificate at such times as the Board of Barber Examiners may deem necessary, signed by a physician in good standing and licensed by the South Carolina Board of Medical Examiners. (Filed, secretary state's office—August 25, 1937.)

18. Communicable Disease. No owner or manager of a barber shop, or any other place where barber service is rendered, shall permit any person suffering from a communicable disease of any form or any venereal disease in communicable form, to act as a barber in said shop unless upon a written order from a physician. (Filed, secretary state's office—August 25, 1937.)

19. Treating Disease. No barber or other person in charge of any barber shall undertake to treat any disease of the skin. (Filed, secretary state's office—August 25, 1937.)

20. Shaving Diseased Faces. No person serving as a barber shall shave any person when the surface to be shaved is inflamed or broken out, or contains pus, unless such person is provided with a cup, shaving brush and razor for his individual use. (Filed, secretary state's office—August 25, 1937.)

21. Rules Posted. The owner or manager of any barber shop, or any other place where barber service is rendered, shall post a copy of these rules and regulations in a conspicuous place in said shop. (Filed, secretary state's office—August 25, 1937.)

Any violation of these rules will be prosecuted according to law.

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JOHN DE LA HOWE SCHOOL

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